THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2820 Session of 2022

INTRODUCED BY HEFFLEY, RYAN, POLINCHOCK, BERNSTINE, R. MACKENZIE, JAMES, BOBACK, M. MACKENZIE, MILLARD, FLOOD, ARMANINI AND MOUL, SEPTEMBER 16, 2022

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 16, 2022

AN ACT

1 Amending the act of April 14, 1972 (P.L.233, No.64), entitled
2   "An act relating to the manufacture, sale and possession of
3   controlled substances, other drugs, devices and cosmetics;
4   conferring powers on the courts and the secretary and
5   Department of Health, and a newly created Pennsylvania Drug,
6   Device and Cosmetic Board; establishing schedules of
7   controlled substances; providing penalties; requiring
8   registration of persons engaged in the drug trade and for the
9   revocation or suspension of certain licenses and
10   registrations; and repealing an act," further providing for
11   prohibited acts and penalties.

12   The General Assembly of the Commonwealth of Pennsylvania

13 hereby enacts as follows:

14   Section 1. Section 13(f) introductory paragraph of the act

15 of April 14, 1972 (P.L.233, No.64), known as The Controlled

16 Substance, Drug, Device and Cosmetic Act, is amended and the

17 section is amended by adding a subsection to read:

18   Section 13. Prohibited Acts; Penalties.--* * *

19   (f) [Any] Except as provided in subsection (f.1), any person

20 who violates clause (12), (14) or (30) of subsection (a) with

21 respect to:

22   * * *

1   (f.1) An individual who knowingly or intentionally violates

2   clause (12), (14) or (30) of subsection (a) with respect to

3   fentanyl, or an analogue of fentanyl, or a controlled substance

4   or counterfeit substance containing a trace of fentanyl, or an

5   analogue of fentanyl, is guilty of a felony and upon conviction

6   thereof shall be sentenced to imprisonment not exceeding twenty

7   years, or to pay a fine not exceeding five hundred thousand

8   dollars ($500,000), or both.

9   * * *

10   Section 2. This act shall take effect in 60 days.