

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 384 Session of 2023

INTRODUCED BY HEFFLEY, R. MACKENZIE, PICKETT, JAMES, IRVIN,  
M. JONES, ZIMMERMAN, MOUL AND GILLEN, MARCH 14, 2023

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 14, 2023

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.