
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 165 Session of
2023

INTRODUCED BY TARTAGLIONE, FONTANA, BREWSTER, PENNYCUICK,
LAUGHLIN AND STEFANO, JANUARY 30, 2023

REFERRED TO JUDICIARY, JANUARY 30, 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(a) of the act of April 14, 1972
15 (P.L.233, No.64), known as The Controlled Substance, Drug,
16 Device and Cosmetic Act, is amended by adding a clause and the
17 section is amended by adding a subsection to read:

18 Section 13. Prohibited Acts; Penalties.--(a) The following
19 acts and the causing thereof within the Commonwealth are hereby
20 prohibited:

21 * * *

22 (41) The operation of a clinic or establishment that

1 provides drug paraphernalia and space for any person to inject,
2 ingest, inhale or otherwise introduce into the person's body a
3 controlled substance in violation of this act.

4 * * *

5 (g) Any person who violates subsection (a)(41):

6 (1) Is guilty of a felony and upon conviction thereof shall
7 be sentenced to a term of imprisonment of not more than twenty
8 years or a fine of not more than five hundred thousand dollars
9 (\$500,000), or both, or a fine of two million dollars
10 (\$2,000,000) for a person other than an individual.

11 (2) Shall be subject to a civil penalty of not more than two
12 hundred fifty thousand dollars (\$250,000).

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