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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1807 Session of  
2017

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INTRODUCED BY READSHAW, THOMAS, MILLARD, BAKER, McNEILL,  
TALLMAN, PASHINSKI, JOZWIAK, DeLUCA, D. COSTA AND KORTZ,  
SEPTEMBER 21, 2017

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REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 21, 2017

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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) 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 to read:

17 Section 13. Prohibited Acts; Penalties.--\* \* \*

18 (f) Any person who violates clause (12), (14) or (30) of  
19 subsection (a) with respect to:

20 (1) A controlled substance or counterfeit substance  
21 classified in Schedule I or II which is a narcotic drug, is  
22 guilty of a felony and upon conviction thereof shall be

1 sentenced to imprisonment not [exceeding] less than five years  
2 nor more than fifteen years, or to pay a fine not exceeding two  
3 hundred fifty thousand dollars (\$250,000), or both or such  
4 larger amount as is sufficient to exhaust the assets utilized in  
5 and the profits obtained from the illegal activity.

6 (1.1) Phencyclidine; methamphetamine, including its salts,  
7 isomers and salts of isomers; coca leaves and any salt,  
8 compound, derivative or preparation of coca leaves; any salt,  
9 compound, derivative or preparation of the preceding which is  
10 chemically equivalent or identical with any of these substances,  
11 except decocanized coca leaves or extracts of coca leaves, which  
12 extracts do not contain cocaine or ecgonine; and marihuana in a  
13 quantity in excess of one thousand (1,000) pounds, is guilty of  
14 a felony and upon conviction thereof shall be sentenced to  
15 imprisonment not exceeding ten years, or to pay a fine not  
16 exceeding one hundred thousand dollars (\$100,000), or both, or  
17 such larger amount as is sufficient to exhaust the assets  
18 utilized in and the profits obtained from the illegal  
19 manufacture or distribution of these substances.

20 (2) Any other controlled substance or counterfeit substance  
21 classified in Schedule I, II, or III, is guilty of a felony and  
22 upon conviction thereof shall be sentenced to imprisonment not  
23 exceeding five years, or to pay a fine not exceeding fifteen  
24 thousand dollars (\$15,000), or both.

25 (3) A controlled substance or counterfeit substance  
26 classified in Schedule IV, is guilty of a felony and upon  
27 conviction thereof shall be sentenced to imprisonment not  
28 exceeding three years, or to pay a fine not exceeding ten  
29 thousand dollars (\$10,000), or both.

30 (4) A controlled substance or counterfeit substance

1 classified in Schedule V, is guilty of a misdemeanor and upon  
2 conviction thereof shall be sentenced to imprisonment not  
3 exceeding one year, or to pay a fine not exceeding five thousand  
4 dollars (\$5,000), or both.

5 \* \* \*

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