
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2134 Session of
2021

INTRODUCED BY BOBACK, McNEILL, RYAN, ROTHMAN, MILLARD, SMITH,
PICKETT, LEWIS DELROSSO, R. MACKENZIE, HOWARD, DeLUCA, MOUL
AND GILLEN, DECEMBER 7, 2021

REFERRED TO COMMITTEE ON JUDICIARY, DECEMBER 7, 2021

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in other offenses, providing for
3 sentencing enhancement for delivering controlled substance
4 containing fentanyl.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 7508.3. Sentencing enhancement for delivering controlled
10 substance containing fentanyl.

11 The Pennsylvania Commission on Sentencing, in accordance with
12 42 Pa.C.S. § 2154 (relating to adoption of guidelines for
13 sentencing), shall provide for a sentence enhancement within its
14 guidelines for a violation of section 13(a)(30) of the act of
15 April 14, 1972 (P.L.233, No.64), known as The Controlled
16 Substance, Drug, Device and Cosmetic Act, in addition to any
17 minimum term of imprisonment authorized or established by law
18 for the violation, if the defendant knowingly or intentionally

1 delivered a controlled substance containing any trace of
2 fentanyl or any analog of fentanyl to an individual without
3 first informing the individual that the controlled substance
4 contained fentanyl or any analog of fentanyl.

5 Section 2. The addition of 18 Pa.C.S. § 7508.3 shall apply
6 to violations committed on or after the effective date of this
7 section.

8 Section 3. This act shall take effect in 60 days.