

---

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 613 Session of  
2013

---

INTRODUCED BY STACK, VULAKOVICH, RAFFERTY, BROWNE, MENSCH,  
FONTANA, KASUNIC, BREWSTER, SOLOBAY, COSTA, WASHINGTON,  
TARTAGLIONE, WAUGH AND HUGHES, MARCH 6, 2013

---

REFERRED TO JUDICIARY, MARCH 6, 2013

---

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in theft and related offenses,  
3 providing for the offense of theft of prescriptions or  
4 prescription order forms.

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 § 3935. Theft of prescriptions or prescription order forms.

10 (a) Offense defined.--A person commits the offense of theft  
11 of prescriptions or prescription order forms if he:

12 (1) unlawfully takes possession of or exercises control  
13 over a prescription or prescription order form for a  
14 controlled substance or other drug prescribed by a  
15 practitioner for an ultimate user with the intent to deprive  
16 the ultimate user of the use of the controlled substance; or

17 (2) unlawfully takes possession of or exercises control  
18 over blank prescriptions or prescription order forms for a

1 controlled substance or other drug used by a practitioner for  
2 purposes of prescribing controlled substances with the intent  
3 to deprive the practitioner of the blank prescriptions or  
4 prescription order forms.

5 (b) Grading.--An offense under this section constitutes a  
6 felony of the third degree.

7 (c) Definitions.--As used in this section, the following  
8 words and phrases shall have the meanings given to them in this  
9 subsection:

10 "Controlled substance." As defined in the act of April 14,  
11 1972 (P.L.233, No.64), known as The Controlled Substance, Drug,  
12 Device and Cosmetic Act.

13 "Drug." As defined in the act of April 14, 1972 (P.L.233,  
14 No.64), known as The Controlled Substance, Drug, Device and  
15 Cosmetic Act.

16 "Practitioner." As defined in the act of April 14, 1972  
17 (P.L.233, No.64), known as The Controlled Substance, Drug,  
18 Device and Cosmetic Act.

19 "Prescription" or "prescription order." As defined in the  
20 act of April 14, 1972 (P.L.233, No.64), known as The Controlled  
21 Substance, Drug, Device and Cosmetic Act.

22 "Ultimate user." As defined in the act of April 14, 1972  
23 (P.L.233, No.64), known as The Controlled Substance, Drug,  
24 Device and Cosmetic Act.

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