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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2020 Session of  
2024

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INTRODUCED BY BURNS, GIRAL, SAPPEY, CEPEDA-FREYITZ AND GREEN,  
FEBRUARY 7, 2024

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 7, 2024

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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 drug overdose response immunity.

12 The General Assembly of the Commonwealth of Pennsylvania  
13 hereby enacts as follows:

14 Section 1. Section 13.7(c) 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 and subsection (d) is  
17 amended by adding a paragraph to read:

18 Section 13.7. Drug Overdose Response Immunity.--\* \* \*

19 (c) Persons experiencing drug overdose events may not be  
20 charged and shall be immune from prosecution as provided in  
21 subsection (b) if:

22 (1) a person who transported or reported and remained with

1 them may not be charged and is entitled to immunity under this  
2 section[.]; and

3 (2) within thirty days of experiencing the drug overdose  
4 event, the person participates in a drug treatment program  
5 ordered by the parole board or the court with jurisdiction over  
6 the potential criminal charges.

7 (d) The prohibition on charging or prosecuting a person as  
8 described in this section is limited in the following respects:

9 \* \* \*

10 (5) This section may not bar charging or prosecuting a  
11 person who experienced a drug overdose event for offenses  
12 enumerated in subsection (b) if the person fails to participate  
13 in a drug treatment program mandated under subsection (c) (2).

14 \* \* \*

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