

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2147 Session of 2018

INTRODUCED BY SANTORA, C. QUINN, BARRAR, READSHAW, DRISCOLL, BERNSTINE, TOOHL, SAYLOR, MURT, DeLUCA, TOEPEL, HILL-EVANS, DOWLING, STAATS AND M. QUINN, MARCH 16, 2018

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 16, 2018

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 to read:

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

18 (c) [Persons experiencing drug overdose events may not be  
 19 charged and shall be immune from prosecution as provided in  
 20 subsection (b) if a person who transported or reported and  
 21 remained with them may not be charged and is entitled to  
 22 immunity under this section.] (1) A person experiencing a drug

1 overdose event may not be charged and shall be immune from  
2 prosecution if, within ten days after receiving medical  
3 attention for the drug overdose event, the person experiencing  
4 the drug overdose event obtained a screening and received a  
5 referral for treatment from a properly accredited addiction  
6 services provider, including a certified recovery specialist or  
7 other trained medical professional.

8     (2) A person who transported or reported and remained with a  
9 person experiencing a drug overdose event may not be charged and  
10 is entitled to immunity under this section.

11     \* \* \*

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