

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 63 Session of 2017

INTRODUCED BY GREENLEAF AND LEACH, JANUARY 12, 2017

REFERRED TO JUDICIARY, JANUARY 12, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
 2 Consolidated Statutes, in other offenses, further providing
 3 for drug trafficking sentencing and penalties.

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

6 Section 1. Section 7508(a) introductory paragraph of Title
 7 18 of the Pennsylvania Consolidated Statutes is amended and the
 8 section is amended by adding a subsection to read:

9 § 7508. Drug trafficking sentencing and penalties.

10 (a) General rule.--[Notwithstanding] Except as provided for
 11 in subsection (c.1), notwithstanding any other provisions of
 12 this or any other act to the contrary, the following provisions
 13 shall apply:

14 * * *

15 (c.1) Exception.--A court may impose on a defendant a lesser
 16 sentence than the mandatory sentence provided for in this
 17 section if the court has a compelling reason to believe that a
 18 substantial injustice would occur by applying the mandatory
 19 sentence unless:

1 (1) The defendant has a prior record score of more than
2 three points under the sentencing guidelines.

3 (2) The defendant used or possessed a firearm or other
4 dangerous weapon or induced another participant to do so in
5 connection with the current offense or any prior conviction.

6 (3) The offense resulted in death or serious bodily
7 injury.

8 * * *

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