

Mock Legislation
Senate Bill 8
Referred to Law and Justice Committee

AN ACT amending the Controlled Substance, Drug, Device and Cosmetic Act prohibiting safe injection sites.

The General Assembly of Pennsylvania hereby enacts as follows:

Section 1. Prohibited Acts –The following acts within the Commonwealth are hereby prohibited:

- (A) The operation of a clinic or establishment that knowingly provides space for any person to inject, ingest, inhale, or otherwise introduce into the person’s body, a controlled substance.

Section 2. Authority to Investigate and Institute Criminal Proceedings

- (A) The Pennsylvania Attorney General and each district attorney of a county where the clinic or establishment is located shall have authority to investigate and institute criminal proceedings.
- (B) No person charged with a violation of this act by the Attorney General shall have standing to challenge the authority of the Attorney General to investigate or prosecute the case, and if any challenge is made, the challenge shall be dismissed and no relief shall be available in the courts of this Commonwealth to the person making the challenge.

Section 3. Exceptions

- (A) Nothing in this section shall prohibit space used for the use of a medical marijuana product as long as use is in accordance with the Medical Marijuana Act.
- (B) Nothing in this section shall prohibit a practitioner from prescribing, administering, or dispensing buprenorphine or methadone in a manner that is already permitted under this act for opioid treatment programs.

Section 4. Violations

- (A) Any person who violates this act is guilty of a felony and upon conviction shall be sentenced to a term of imprisonment of not more than 20 years, or a fine of not more than \$500,000, or both.
- (B) The proprietor, president, or CEO of any entity that violates this act is guilty of a felony and upon conviction shall be sentenced to imprisonment of not more than 20 years, or a fine of not more than \$2 million, or both.

Section 5. This act shall take effect immediately.