
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 233 Session of
2023

INTRODUCED BY HILL-EVANS, MADDEN, HOHENSTEIN, SANCHEZ, KINSEY,
GALLOWAY, KRAJEWSKI AND PARKER, MARCH 10, 2023

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 10, 2023

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 probation without verdict.

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

14 Section 1. Section 17 of the act of April 14, 1972 (P.L.233,
15 No.64), known as The Controlled Substance, Drug, Device and
16 Cosmetic Act, is amended by adding a clause to read:

17 Section 17. Probation Without Verdict.--Except as provided
18 in clause (1) of this subsection, the court may place a person
19 on probation without verdict if the person pleads nolo
20 contendere or guilty to any nonviolent offense under this act
21 and the person proves he is drug dependent. For the purposes of
22 proving drug dependency, the person must present the testimony

1 of a physician or psychologist trained in the field of drug
2 abuse. The term of probation shall be for a specific time period
3 not to exceed the maximum for the offense upon such reasonable
4 terms and conditions as the court may require. The following
5 shall apply:

6 * * *

7 (4) Upon being granted probation without verdict, the sum
8 total of fines and court costs that the offender is required to
9 pay as a condition of the probation without verdict shall not
10 exceed three hundred dollars (\$300).

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