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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 326 Session of  
2025

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INTRODUCED BY OWLETT, PICKETT, SMITH, STEHR, KUZMA, ZIMMERMAN  
AND ANDERSON, JANUARY 23, 2025

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REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 23, 2025

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AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and  
2 Judicial Procedure) of the Pennsylvania Consolidated  
3 Statutes, in criminal homicide, repealing provisions relating  
4 to the offense of drug delivery resulting in death; in  
5 assault, providing for the offense of drug delivery resulting  
6 in death or serious bodily injury; in arson, criminal  
7 mischief and other property destruction, further providing  
8 for additional fine for arson committed for profit; in  
9 wiretapping and electronic surveillance, further providing  
10 for definitions; in limitation of time, further providing for  
11 no limitation applicable and for other offenses; and, in  
12 sentencing, further providing for sentences for second and  
13 subsequent offenses.

14 This act shall be known and may be cited as Isaiah's Law.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Section 2506 of Title 18 of the Pennsylvania  
18 Consolidated Statutes is repealed:

19 [§ 2506. Drug delivery resulting in death.]

20 (a) Offense defined.--A person commits a felony of the first  
21 degree if the person intentionally administers, dispenses,  
22 delivers, gives, prescribes, sells or distributes any controlled  
23 substance or counterfeit controlled substance in violation of

1 section 13(a) (14) or (30) of the act of April 14, 1972 (P.L.233,  
2 No.64), known as The Controlled Substance, Drug, Device and  
3 Cosmetic Act, and another person dies as a result of using the  
4 substance.

5 (b) Penalty.--

6 (1) A person convicted under subsection (a) shall be  
7 sentenced to a term of imprisonment which shall be fixed by  
8 the court at not more than 40 years.

9 (2) Paragraph (1) shall not apply to a person convicted  
10 under section 2502(c) (relating to murder) when the victim is  
11 less than 13 years of age and the conduct arises out of the  
12 same criminal act.

13 (f) Forfeiture.--Assets against which a forfeiture petition  
14 has been filed and is pending or against which the Commonwealth  
15 has indicated an intention to file a forfeiture petition shall  
16 not be subject to a fine. Nothing in this section shall prevent  
17 a fine from being imposed on assets which have been subject to  
18 an unsuccessful forfeiture petition.]

19 Section 2. Title 18 is amended by adding a section to read:  
20 § 2720. Drug delivery resulting in death or serious bodily  
21 injury.

22 (a) Offense defined.--A person commits an offense if the  
23 person unlawfully and intentionally administers, dispenses,  
24 delivers, gives, prescribes, sells or distributes a controlled  
25 substance or counterfeit controlled substance and another person  
26 dies or suffers serious bodily injury as a result of using the  
27 substance, alone or in combination with any other substance.

28 (b) Penalty.--

29 (1) Except as provided under paragraph (2), the  
30 following apply:

1           (i) If the offense resulted in the death of the  
2 victim, the offense constitutes a felony of the first  
3 degree and the person shall be sentenced to a term of  
4 imprisonment which shall be fixed by the court at not  
5 more than 40 years.

6           (ii) If the offense resulted in serious bodily  
7 injury to the victim, the offense constitutes a felony of  
8 the third degree.

9           (2) Paragraph (1)(i) shall not apply to a person  
10 convicted under section 2502(c) (relating to murder) when the  
11 victim is less than 13 years of age and the conduct arises  
12 out of the same criminal act.

13          (c) Affirmative defense.--It shall be an affirmative defense  
14 under this section that the person was not given or did not  
15 receive any service or anything of value in exchange for the  
16 delivery of the substance.

17          (d) Forfeiture.--Assets against which a forfeiture petition  
18 has been filed and is pending or against which the Commonwealth  
19 has indicated an intention to file a forfeiture petition shall  
20 not be subject to a fine. Nothing in this section shall prevent  
21 a fine from being imposed on assets which have been subject to  
22 an unsuccessful forfeiture petition.

23          (e) Definition.--As used in this section, the term  
24 "unlawfully" means conduct which constitutes a violation of  
25 section 13(a)(14) or (30) of the act of April 14, 1972 (P.L.233,  
26 No.64), known as The Controlled Substance, Drug, Device and  
27 Cosmetic Act, but without regard for whether the conduct took  
28 place in this Commonwealth.

29          Section 3. Section 3308(a) of Title 18 is amended to read:  
30 § 3308. Additional fine for arson committed for profit.

1 (a) General rule.--Any person convicted under section [2506  
2 (relating to arson murder) or] 3301 (relating to arson and  
3 related offenses) where any consideration was paid or payable,  
4 in addition to any sentence of imprisonment, shall be fined an  
5 amount double the amount of the consideration or the maximum  
6 lawful fine as provided in section 1101 (relating to fines),  
7 whichever is greater.

8 \* \* \*

9 Section 4. The definition of "crime of violence" in section  
10 5702 of Title 18 is amended to read:

11 § 5702. Definitions.

12 As used in this chapter, the following words and phrases  
13 shall have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 \* \* \*

16 "Crime of violence." Any of the following:

17 (1) Any of the following crimes:

18 (i) Murder in any degree as defined in section  
19 2502(a), (b) or (c) (relating to murder).

20 (ii) Voluntary manslaughter as defined in section  
21 2503 (relating to voluntary manslaughter), drug delivery  
22 resulting in death or serious bodily injury as defined in  
23 section [2506(a) relating] 2720 (relating to drug  
24 delivery resulting in death or serious bodily injury),  
25 aggravated assault as defined in section 2702(a)(1) or  
26 (2) (relating to aggravated assault), 2718 (relating to  
27 strangulation), kidnapping as defined in section 2901(a)  
28 or (a.1) (relating to kidnapping), rape as defined in  
29 section 3121(a), (c) or (d) (relating to rape),  
30 involuntary deviate sexual intercourse as defined in

1 section 3123(a), (b) or (c) (relating to involuntary  
2 deviate sexual intercourse), sexual assault as defined in  
3 section 3124.1 (relating to sexual assault), aggravated  
4 indecent assault as defined in section 3125(a) or (b)  
5 (relating to aggravated indecent assault), incest as  
6 defined in section 4302(a) or (b) (relating to incest),  
7 arson as defined in section 3301(a) (relating to arson  
8 and related offenses), burglary as defined in section  
9 3502(a)(1) (relating to burglary), robbery as defined in  
10 section 3701(a)(1)(i), (ii) or (iii) (relating to  
11 robbery) or robbery of a motor vehicle as defined in  
12 section 3702(a) (relating to robbery of motor vehicle).

13 (iii) Intimidation of witness or victim as defined  
14 in section 4952(a) and (b) (relating to intimidation of  
15 witnesses or victims).

16 (iv) Retaliation against witness, victim or party as  
17 defined in section 4953(a) and (b) (relating to  
18 retaliation against witness, victim or party).

19 (v) Criminal attempt as defined in section 901(a)  
20 (relating to criminal attempt), criminal solicitation as  
21 defined in section 902(a) (relating to criminal  
22 solicitation) or criminal conspiracy as defined in  
23 section 903(a) (relating to criminal conspiracy) to  
24 commit any of the offenses specified in this definition.

25 (2) Any offense equivalent to an offense under paragraph  
26 (1) under the laws of this Commonwealth in effect at the time  
27 of the commission of that offense or under the laws of  
28 another jurisdiction.

29 \* \* \*

30 Section 5. Section 5551 of Title 42 is amended by adding a

1 paragraph to read:

2 § 5551. No limitation applicable.

3 A prosecution for the following offenses may be commenced at  
4 any time:

5 \* \* \*

6 (8) A violation of 18 Pa.C.S. § 2720 (relating to drug  
7 delivery resulting in death or serious bodily injury) if the  
8 offense resulted in the death of the victim.

9 Section 6. Sections 5552(b) and 9714(g) of Title 42 are  
10 amended to read:

11 § 5552. Other offenses.

12 \* \* \*

13 (b) Major offenses.--A prosecution for any of the following  
14 offenses must be commenced within five years after it is  
15 committed:

16 (1) Under the following provisions of Title 18 (relating  
17 to crimes and offenses):

18 Section 901 (relating to criminal attempt) involving  
19 attempt to commit murder where no murder occurs.

20 Section 902 (relating to criminal solicitation)  
21 involving solicitation to commit murder where no murder  
22 occurs.

23 Section 903 (relating to criminal conspiracy)  
24 involving conspiracy to commit murder where no murder  
25 occurs.

26 Section 911 (relating to corrupt organizations).

27 Section 2702 (relating to aggravated assault).

28 Section 2706 (relating to terroristic threats).

29 Section 2713 (relating to neglect of care-dependent  
30 person).

1           Section 2720 (relating to drug delivery resulting in  
2 death or serious bodily injury) if the offense resulted  
3 in serious bodily injury to the victim.

4           Section 2901 (relating to kidnapping).

5           Section 3301 (relating to arson and related  
6 offenses).

7           Section 3502 (relating to burglary).

8           Section 3701 (relating to robbery).

9           Section 3921 (relating to theft by unlawful taking or  
10 disposition) through former section 3933 (relating to  
11 unlawful use of computer).

12          Section 4101 (relating to forgery).

13          Section 4107 (relating to deceptive or fraudulent  
14 business practices).

15          Section 4108 (relating to commercial bribery and  
16 breach of duty to act disinterestedly).

17          Section 4109 (relating to rigging publicly exhibited  
18 contest).

19          Section 4117 (relating to insurance fraud).

20          Section 4701 (relating to bribery in official and  
21 political matters) through section 4703 (relating to  
22 retaliation for past official action).

23          Section 4902 (relating to perjury) through section  
24 4912 (relating to impersonating a public servant).

25          Section 4952 (relating to intimidation of witnesses  
26 or victims).

27          Section 4953 (relating to retaliation against  
28 witness, victim or party).

29          Section 5101 (relating to obstructing administration  
30 of law or other governmental function).

1 Section 5111 (relating to dealing in proceeds of  
2 unlawful activities).

3 Section 5512 (relating to lotteries, etc.) through  
4 section 5514 (relating to pool selling and bookmaking).

5 Section 5902(b) (relating to prostitution and related  
6 offenses).

7 Section 6111(g)(2) and (4) (relating to sale or  
8 transfer of firearms).

9 (2) Any offense punishable under section 13(f) of the  
10 act of April 14, 1972 (P.L.233, No.64), known as The  
11 Controlled Substance, Drug, Device and Cosmetic Act.

12 (3) Any conspiracy to commit any of the offenses set  
13 forth in paragraphs (1) and (2) and any solicitation to  
14 commit any of the offenses in paragraphs (1) and (2) if the  
15 solicitation results in the completed offense.

16 (4) Under the act of June 13, 1967 (P.L.31, No.21),  
17 known as the [Public Welfare] Human Services Code.

18 (5) Under the former act of November 24, 1998 (P.L.874,  
19 No.110), known as the Motor Vehicle Chop Shop and Illegally  
20 Obtained and Altered Property Act.

21 \* \* \*

22 § 9714. Sentences for second and subsequent offenses.

23 \* \* \*

24 (g) Definition.--As used in this section, the term "crime of  
25 violence" means murder of the third degree, voluntary  
26 manslaughter, manslaughter of a law enforcement officer as  
27 defined in 18 Pa.C.S. § 2507(c) or (d) (relating to criminal  
28 homicide of law enforcement officer), murder of the third degree  
29 involving an unborn child as defined in 18 Pa.C.S. § 2604(c)  
30 (relating to murder of unborn child), aggravated assault of an



1 unborn child as defined in 18 Pa.C.S. § 2606 (relating to  
2 aggravated assault of unborn child), aggravated assault as  
3 defined in 18 Pa.C.S. § 2702(a)(1) or (2) (relating to  
4 aggravated assault), assault of law enforcement officer as  
5 defined in 18 Pa.C.S. § 2702.1(a)(1) (relating to assault of law  
6 enforcement officer), use of weapons of mass destruction as  
7 defined in 18 Pa.C.S. § 2716(b) (relating to weapons of mass  
8 destruction), terrorism as defined in 18 Pa.C.S. § 2717(b)(2)  
9 (relating to terrorism), strangulation when the offense is  
10 graded as a felony as defined in 18 Pa.C.S. § 2718 (relating to  
11 strangulation), trafficking of persons when the offense is  
12 graded as a felony of the first degree as provided in 18 Pa.C.S.  
13 § 3011 (relating to trafficking in individuals), rape,  
14 involuntary deviate sexual intercourse, aggravated indecent  
15 assault, incest, sexual assault, arson endangering persons or  
16 aggravated arson as defined in 18 Pa.C.S. § 3301(a) or (a.1)  
17 (relating to arson and related offenses), ecoterrorism as  
18 classified in 18 Pa.C.S. § 3311(b)(3) (relating to  
19 ecoterrorism), kidnapping, burglary as defined in 18 Pa.C.S. §  
20 3502(a)(1) (relating to burglary), robbery as defined in 18  
21 Pa.C.S. § 3701(a)(1)(i), (ii) or (iii) (relating to robbery), or  
22 robbery of a motor vehicle, drug delivery resulting in death or  
23 serious bodily injury as defined in 18 Pa.C.S. § [2506(a)] 2720  
24 (relating to drug delivery resulting in death or serious bodily  
25 injury), or criminal attempt, criminal conspiracy or criminal  
26 solicitation to commit murder or any of the offenses listed  
27 above, or an equivalent crime under the laws of this  
28 Commonwealth in effect at the time of the commission of that  
29 offense or an equivalent crime in another jurisdiction.

30 Section 7. This act shall take effect in 60 days.