

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Bill No. 20, Page 2, Section 488.5050, Line 26, by inserting after said section and
2 line the following:

3
4 "579.065. 1. A person commits the offense of trafficking drugs in the first degree if, except
5 as authorized by this chapter or chapter 195, such person knowingly distributes, delivers,
6 manufactures, produces or attempts to distribute, deliver, manufacture or produce:

7 (1) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance containing
8 a detectable amount of heroin;

9 (2) More than one hundred fifty grams [~~but less than four hundred fifty grams~~] of a mixture
10 or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca
11 leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;
12 cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives,
13 their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains
14 any quantity of any of the foregoing substances;

15 (3) More than eight grams [~~but less than twenty-four grams~~] of a mixture or substance
16 described in subdivision (2) of this subsection which contains cocaine base;

17 (4) More than five hundred milligrams [~~but less than one gram~~] of a mixture or substance
18 containing a detectable amount of lysergic acid diethylamide (LSD);

19 (5) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance containing
20 a detectable amount of phencyclidine (PCP);

21 (6) More than four grams [~~but less than twelve grams~~] of phencyclidine;

22 (7) More than thirty kilograms [~~but less than one hundred kilograms~~] of a mixture or
23 substance containing marijuana;

24 (8) More than thirty grams [~~but less than ninety grams~~] of any material, compound, mixture,
25 or preparation containing any quantity of the following substances having a stimulant effect on the
26 central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
27 methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its
28 salts; or methylphenidate; [ø]

29 (9) More than thirty grams [~~but less than ninety grams~~] of any material, compound, mixture,
30 or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine;

31 (10) One gram or more of flunitrazepam for the first offense;

32 (11) Any amount of gamma-hydroxybutyric acid for the first offense; or

33 (12) More than ten milligrams of fentanyl, or any derivative thereof, or any compound,
34 mixture, or substance containing more than ten milligrams of fentanyl, carfentanyl, or their optical
35 isomers or analogues.

36 2. The offense of trafficking drugs in the first degree is a class B felony.

Action Taken _____ Date _____

1 3. The offense of trafficking drugs in the first degree is a class A felony if the quantity
2 involved is:

3 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
4 heroin; or

5 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
6 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
7 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
8 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
9 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any
10 of the foregoing substances; or

11 (3) Twenty-four grams or more of a mixture or substance described in subdivision (2) of this
12 subsection which contains cocaine base; or

13 (4) One gram or more of a mixture or substance containing a detectable amount of lysergic
14 acid diethylamide (LSD); or

15 (5) Ninety grams or more of a mixture or substance containing a detectable amount of
16 phencyclidine (PCP); or

17 (6) Twelve grams or more of phencyclidine; or

18 (7) One hundred kilograms or more of a mixture or substance containing marijuana; or

19 (8) Ninety grams or more of any material, compound, mixture, or preparation containing
20 any quantity of the following substances having a stimulant effect on the central nervous system:
21 amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts,
22 optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate; or

23 (9) More than thirty grams of any material, compound, mixture, or preparation containing
24 any quantity of the following substances having a stimulant effect on the central nervous system:
25 amphetamine, its salts, optical isomers, and salts of its optical isomers; methamphetamine, its salts,
26 optical isomers, and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate, and
27 the location of the offense was within two thousand feet of real property comprising a public or
28 private elementary, vocational, or secondary school, college, community college, university, or any
29 school bus, in or on the real property comprising public housing or any other governmental assisted
30 housing, or within a motor vehicle, or in any structure or building which contains rooms furnished
31 for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to
32 the public as a place where sleeping accommodations are sought for pay or compensation to
33 transient guests or permanent guests; or

34 (10) Ninety grams or more of any material, compound, mixture or preparation which
35 contains any quantity of 3,4-methylenedioxymethamphetamine; or

36 (11) More than thirty grams of any material, compound, mixture, or preparation which
37 contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the offense was
38 within two thousand feet of real property comprising a public or private elementary, vocational, or
39 secondary school, college, community college, university, or any school bus, in or on the real
40 property comprising public housing or any other governmental assisted housing, within a motor
41 vehicle, or in any structure or building which contains rooms furnished for the accommodation or
42 lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where
43 sleeping accommodations are sought for pay or compensation to transient guests or permanent
44 guests;

45 (12) One gram or more of flunitrazepam for a second or subsequent offense;

46 (13) Any amount of gamma-hydroxybutyric acid for a second or subsequent offense; or

47 (14) Twenty milligrams or more of fentanyl, or any derivative thereof, or any compound,
48 mixture, or substance containing twenty milligrams or more of fentanyl, carfentanyl, or their optical
49 isomers or analogues.

1 579.068. 1. A person commits the offense of trafficking drugs in the second degree if,
2 except as authorized by this chapter or chapter 195, such person knowingly possesses or has under
3 his or her control, purchases or attempts to purchase, or brings into this state:

4 (1) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance containing
5 a detectable amount of heroin;

6 (2) More than one hundred fifty grams [~~but less than four hundred fifty grams~~] of a mixture
7 or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca
8 leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;
9 cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives,
10 their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains
11 any quantity of any of the foregoing substances;

12 (3) More than eight grams [~~but less than twenty-four grams~~] of a mixture or substance
13 described in subdivision (2) of this subsection which contains cocaine base;

14 (4) More than five hundred milligrams [~~but less than one gram~~] of a mixture or substance
15 containing a detectable amount of lysergic acid diethylamide (LSD);

16 (5) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance containing
17 a detectable amount of phencyclidine (PCP);

18 (6) More than four grams [~~but less than twelve grams~~] of phencyclidine;

19 (7) More than thirty kilograms [~~but less than one hundred kilograms~~] of a mixture or
20 substance containing marijuana;

21 (8) More than thirty grams [~~but less than ninety grams~~] of any material, compound, mixture,
22 or preparation containing any quantity of the following substances having a stimulant effect on the
23 central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
24 methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its
25 salts; or methylphenidate; ~~[or]~~

26 (9) More than thirty grams [~~but less than ninety grams~~] of any material, compound, mixture,
27 or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine; or

28 (10) More than ten milligrams of fentanyl, or any derivative thereof, or any compound,
29 mixture, or substance containing more than ten milligrams of fentanyl, carfentanyl, or their optical
30 isomers or analogues.

31 2. The offense of trafficking drugs in the second degree is a class C felony.

32 3. The offense of trafficking drugs in the second degree is a class B felony if the quantity
33 involved is:

34 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
35 heroin; or

36 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
37 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
38 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
39 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
40 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any
41 of the foregoing substances; or

42 (3) Twenty-four grams or more of a mixture or substance described in subdivision (2) of this
43 subsection which contains cocaine base; or

44 (4) One gram or more of a mixture or substance containing a detectable amount of lysergic
45 acid diethylamide (LSD); or

46 (5) Ninety grams or more of a mixture or substance containing a detectable amount of
47 phencyclidine (PCP); or

48 (6) Twelve grams or more of phencyclidine; or

49 (7) One hundred kilograms or more of a mixture or substance containing marijuana; or

1 (8) More than five hundred marijuana plants; or

2 (9) Ninety grams or more but less than four hundred fifty grams of any material, compound,
3 mixture, or preparation containing any quantity of the following substances having a stimulant effect
4 on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical
5 isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine
6 and its salts; or methylphenidate; or

7 (10) Ninety grams or more but less than four hundred fifty grams of any material,
8 compound, mixture, or preparation which contains any quantity of 3,4-
9 methylenedioxymethamphetamine; or

10 (11) Twenty milligrams or more of fentanyl, or any derivative thereof, or any compound,
11 mixture, or substance containing twenty milligrams or more of fentanyl, carfentanyl, or their optical
12 isomers or analogues.

13 4. The offense of trafficking drugs in the second degree is a class A felony if the quantity
14 involved is four hundred fifty grams or more of any material, compound, mixture or preparation
15 which contains:

16 (1) Any quantity of the following substances having a stimulant effect on the central
17 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
18 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or
19 methylphenidate; or

20 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

21 5. The offense of drug trafficking in the second degree is a class C felony for the first
22 offense and a class B felony for any second or subsequent offense for the trafficking of less than one
23 gram of flunitrazepam."; and

24
25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.