

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute  
2 for Senate Bill No. 523, Page 93, Section 570.027, Line 17, by inserting after said section and line  
3 the following:  
4

5 "571.015. 1. [~~Except as provided in subsection 4 of this section,~~] Any person who commits  
6 any felony under the laws of this state by, with, or through the use, assistance, or aid of a dangerous  
7 instrument or deadly weapon is also guilty of the [~~crime~~] offense of armed criminal action and, upon  
8 conviction, shall be punished by imprisonment by the department of corrections [~~and human~~  
9 ~~resources~~] for a term of not less than three years and not to exceed fifteen years, unless the person is  
10 unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term of not  
11 less than five years. The punishment imposed pursuant to this subsection shall be in addition to and  
12 consecutive to any punishment provided by law for the crime committed by, with, or through the  
13 use, assistance, or aid of a dangerous instrument or deadly weapon. No person convicted under this  
14 subsection shall be eligible for parole, probation, conditional release<sub>2</sub> or suspended imposition or  
15 execution of sentence for a period of three calendar years.

16 2. Any person convicted of a second offense of armed criminal action under subsection 1 of  
17 this section shall be punished by imprisonment by the department of corrections [~~and human~~  
18 ~~resources~~] for a term of not less than five years and not to exceed thirty years, unless the person is  
19 unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term not less  
20 than fifteen years. The punishment imposed pursuant to this subsection shall be in addition to and  
21 consecutive to any punishment provided by law for the crime committed by, with, or through the  
22 use, assistance, or aid of a dangerous instrument or deadly weapon. No person convicted under this  
23 subsection shall be eligible for parole, probation, conditional release<sub>2</sub> or suspended imposition or  
24 execution of sentence for a period of five calendar years.

25 3. Any person convicted of a third or subsequent offense of armed criminal action nder  
26 subsection 1 of this section shall be punished by imprisonment by the department of corrections  
27 [~~and human resources~~] for a term of not less than ten years, unless the person is unlawfully  
28 possessing a firearm, in which case the term of imprisonment shall be no less than fifteen years.  
29 The punishment imposed pursuant to this subsection shall be in addition to and consecutive to any  
30 punishment provided by law for the crime committed by, with, or through the use, assistance, or aid  
31 of a dangerous instrument or deadly weapon. No person convicted under this subsection shall be  
32 eligible for parole, probation, conditional release<sub>2</sub> or suspended imposition or execution of sentence  
33 for a period of ten calendar years.

34 [~~4. The provisions of this section shall not apply to the felonies defined in sections 564.590,~~  
35 ~~564.610, 564.620, 564.630, and 564.640.]"; and  
36~~

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1  
2 Further amend said bill, Page 102, Section 579.065, Lines 30-32, by deleting said lines and inserting  
3 in lieu thereof the following:  
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5 "(12) More than ten milligrams of fentanyl or carfentanil, or any derivative thereof, or any  
6 combination thereof, or any compound, mixture, or substance containing a detectable amount of  
7 fentanyl or carfentanil, or their optical isomers or analogues."; and  
8

9 Further amend said bill and section, Page 104, Lines 82-84, by deleting said lines and inserting in  
10 lieu thereof the following:  
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12 "(14) Twenty milligrams or more of fentanyl or carfentanil, or any derivative thereof, or any  
13 combination thereof, or any compound, mixture, or substance containing a detectable amount of  
14 fentanyl or carfentanil, or their optical isomers or analogues."; and  
15

16 Further amend said bill, Page 105, Section 579.068, Lines 29-31, by deleting said lines and inserting  
17 in lieu thereof the following:  
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19 "(10) More than ten milligrams of fentanyl or carfentanil, or any derivative thereof, or any  
20 combination thereof, or any compound, mixture, or substance containing a detectable amount of  
21 fentanyl or carfentanil, or their optical isomers or analogues."; and  
22

23 Further amend said bill, page, and section, Lines 60-62, by deleting said lines and inserting in lieu  
24 thereof the following:  
25

26 "(11) Twenty milligrams or more of fentanyl or carfentanil, or any derivative thereof, or any  
27 combination thereof, or any compound, mixture, or substance containing a detectable amount of  
28 fentanyl or carfentanil, or their optical isomers or analogues."; and  
29

30 Further amend said bill by amending the title, enacting clause, and intersectional references  
31 accordingly.