

HB 1376 -- Controlled Substances

Sponsor: Ward

This bill makes changes in the laws regarding controlled substances. The bill:

(1) Increases from four to five years the maximum penalty for possession of materials used to make controlled substances;

(2) Requires any person convicted of a methamphetamine-related offense to complete the Post-Conviction Drug Treatment Program;

(3) Allows the Attorney General to summon a statewide grand jury when a multijurisdictional drug task force files a petition to investigate drug activity in multiple counties;

(4) Clarifies that any crimes that are punishable by a term of years not to exceed five will warrant a class C felony sentence when the person is sentenced as a persistent offender. Under current law, a persistent offender or dangerous offender who is convicted of a felony receives an extended sentence which is increased by one degree (e.g., a class D felony warrants a class C felony sentence);

(5) Denies offenders convicted of a class D felony for possessing or providing methamphetamine materials from petitioning the court for release after serving 120 days. Under current law, first-time offenders convicted of a nonviolent class C or D felony may file this petition; and

(6) Adds possessing or providing methamphetamine materials to the list of crimes for which probation may not be granted.