

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

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 966, Page 36, Section 566.147, Line 42, by inserting after all of said section and  
3 line the following:  
4

5 "577.029. A licensed physician, registered nurse, phlebotomist, or trained medical  
6 technician, acting at the request and direction of the law enforcement officer under section 577.020,  
7 shall, with the consent of the patient or a warrant issued by a court of competent jurisdiction,  
8 withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical  
9 personnel, in his or her good faith medical judgment, believes such procedure would endanger the  
10 life or health of the person in custody. Blood may be withdrawn only by such medical personnel,  
11 but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine  
12 specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a  
13 previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall  
14 otherwise be in strict accord with accepted medical practices. Upon the request of the person who is  
15 tested, full information concerning the test taken at the direction of the law enforcement officer shall  
16 be made available to him or her.

17 579.065. 1. A person commits the offense of trafficking drugs in the first degree if, except  
18 as authorized by this chapter or chapter 195, such person knowingly distributes, delivers,  
19 manufactures, produces or attempts to distribute, deliver, manufacture or produce:

20 (1) More than thirty grams but less than ninety grams of a mixture or substance containing a  
21 detectable amount of heroin;

22 (2) More than one hundred fifty grams but less than four hundred fifty grams of a mixture  
23 or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca  
24 leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;  
25 cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives,  
26 their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains  
27 any quantity of any of the foregoing substances;

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

30 (4) More than five hundred milligrams but less than one gram of a mixture or substance  
31 containing a detectable amount of lysergic acid diethylamide (LSD);

32 (5) More than thirty grams but less than ninety grams of a mixture or substance containing a  
33 detectable amount of phencyclidine (PCP);

34 (6) More than four grams but less than twelve grams of phencyclidine;

35 (7) More than thirty kilograms but less than one hundred kilograms of a mixture or  
36 substance containing marijuana;

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

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

(10) More than ten grams but less than sixty grams of fentanyl, or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl.

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

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

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

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

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

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

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

(6) Twelve grams or more of phencyclidine; or

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

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

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

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

(11) More than thirty grams of any material, compound, mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the offense was within two thousand feet of real property comprising a public or private elementary, vocational, or

secondary school, college, community college, university, or any school bus, in or on the real property comprising public housing or any other governmental assisted housing, within a motor vehicle, or in any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests; or

(12) Sixty grams or more of fentanyl, or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl.

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

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

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

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

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

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

(6) More than four grams but less than twelve grams of phencyclidine;

(7) More than thirty kilograms but less than one hundred kilograms of a mixture or substance containing marijuana;

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

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

(10) More than ten grams but less than sixty grams of fentanyl, or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl.

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

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

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

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

- 1           (3) Twenty-four grams or more of a mixture or substance described in subdivision (2) of  
2 this subsection which contains cocaine base; or  
3           (4) One gram or more of a mixture or substance containing a detectable amount of lysergic  
4 acid diethylamide (LSD); or  
5           (5) Ninety grams or more of a mixture or substance containing a detectable amount of  
6 phencyclidine (PCP); or  
7           (6) Twelve grams or more of phencyclidine; or  
8           (7) One hundred kilograms or more of a mixture or substance containing marijuana; or  
9           (8) More than five hundred marijuana plants; or  
10          (9) Ninety grams or more but less than four hundred fifty grams of any material, compound,  
11 mixture, or preparation containing any quantity of the following substances having a stimulant  
12 effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical  
13 isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine  
14 and its salts; or methylphenidate; or  
15          (10) Ninety grams or more but less than four hundred fifty grams of any material,  
16 compound, mixture, or preparation which contains any quantity of 3,4-  
17 methylenedioxymethamphetamine; or  
18          (11) Sixty grams or more of fentanyl, or any derivative thereof, or any mixture or substance  
19 containing a detectable amount of fentanyl.  
20          4. The offense of trafficking drugs in the second degree is a class A felony if the quantity  
21 involved is four hundred fifty grams or more of any material, compound, mixture or preparation  
22 which contains:  
23          (1) Any quantity of the following substances having a stimulant effect on the central  
24 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;  
25 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or  
26 methylphenidate; or  
27          (2) Any quantity of 3,4-methylenedioxymethamphetamine."; and  
28  
29 Further amend said bill by amending the title, enacting clause, and intersectional references  
30 accordingly.