

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 1108 & 1181, Page 33, Section 579.022,
2 Line 10, by inserting after all of said section and 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 of a mixture or substance containing a detectable amount of
8 heroin;

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

15 (3) More than eight grams of a mixture or substance described in subdivision (2) of this
16 subsection which contains cocaine base;

17 (4) More than five hundred milligrams of a mixture or substance containing a detectable
18 amount of lysergic acid diethylamide (LSD);

19 (5) More than thirty grams of a mixture or substance containing a detectable amount of
20 phencyclidine (PCP);

21 (6) More than four grams of phencyclidine;

22 (7) More than thirty kilograms of a mixture or substance containing marijuana;

23 (8) 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;

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

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

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

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1 (12) More than ~~ten~~ three but less than fourteen milligrams of fentanyl or carfentanil, or
2 any derivative thereof, or any combination thereof, or any compound, mixture, or substance
3 containing a detectable amount of fentanyl or carfentanil, or their optical isomers or analogues.

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

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

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

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

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

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

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

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

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

23 (8) Ninety grams or more 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; or

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

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

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

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

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

12 (14) [~~Twenty~~] Fourteen milligrams or more of fentanyl or carfentanil, or any derivative
13 thereof, or any combination thereof, or any compound, mixture, or substance containing a detectable
14 amount of fentanyl or carfentanil, or their optical isomers or analogues.

15 579.068. 1. A person commits the offense of trafficking drugs in the second degree if,
16 except as authorized by this chapter or chapter 195, such person knowingly possesses or has under
17 his or her control, purchases or attempts to purchase, or brings into this state:

18 (1) More than thirty grams of a mixture or substance containing a detectable amount of
19 heroin;

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

26 (3) More than eight grams of a mixture or substance described in subdivision (2) of this
27 subsection which contains cocaine base;

28 (4) More than five hundred milligrams of a mixture or substance containing a detectable
29 amount of lysergic acid diethylamide (LSD);

30 (5) More than thirty grams of a mixture or substance containing a detectable amount of
31 phencyclidine (PCP);

32 (6) More than four grams of phencyclidine;

33 (7) More than thirty kilograms of a mixture or substance containing marijuana;

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

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

1 (10) More than ~~ten~~ three but less than fourteen milligrams of fentanyl or carfentanil, or
2 any derivative thereof, or any combination thereof, or any compound, mixture, or substance
3 containing a detectable amount of fentanyl or carfentanil, or their optical isomers or analogues.

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

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

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

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

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

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

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

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

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

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

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

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

32 (11) ~~Twenty~~ Fourteen milligrams or more of fentanyl or carfentanil, or any derivative
33 thereof, or any combination thereof, or any compound, mixture, or substance containing a detectable
34 amount of fentanyl or carfentanil, or their optical isomers or analogues.

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

38 (1) Any quantity of the following substances having a stimulant effect on the central
39 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;

1 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or
2 methylphenidate; or

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

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

7

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