

HCS HBs 2576 & 1433 -- TRAFFICKING OF DRUGS

SPONSOR: Casteel

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Crime Prevention and Public Safety by a vote of 18 to 3 and 1 voting Present. Voted "Do Pass" by the Standing Committee on Rules- Regulatory Oversight by a vote of 8 to 0.

The following is a summary of the House Committee Substitute for HB 2576.

This bill amends the offenses of drug trafficking in the first degree and drug trafficking in the second degree.

Currently, trafficking drugs in the first degree is a class B felony if the person knowingly distributes, delivers, manufactures, or produces, or attempts to distribute, deliver, manufacture, or produce more than 10 milligrams of fentanyl. It is a class A felony if the amount is 20 milligrams or more.

Trafficking drugs in the second degree is a class C felony if the person knowingly possesses or has under his or her control, purchases or attempts to purchase, or brings into this State more than 10 milligrams of fentanyl, and is a class B felony if the amount is 20 milligrams or more.

This bill amends the quantities of fentanyl for the offense of trafficking of drugs, in the first and second degree, as follows:

- (1) Drug trafficking in the first degree is a class B felony for more than three but less than 14 milligrams of fentanyl;
- (2) Drug trafficking in the first degree is a class A felony for more than 14 milligrams of fentanyl;
- (3) Drug trafficking in the second degree is a class C felony for more than three but less than 14 milligrams of fentanyl;
- (4) Drug trafficking in the second degree is a class B felony for more than 14 milligrams of fentanyl.

Under the offense of trafficking drugs in the first degree, trafficking any amount of carfentanil up to .05 milligrams is a class B felony, and trafficking more than .05 milligrams is a class A felony. Under the offense of trafficking drugs in the second degree, trafficking any amount of carfentanil up to .05 milligrams is a class C felony, and trafficking more than .05 milligrams is a class B felony.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROponents: Supporters say that fentanyl is a powerful opioid and it can be 50 times stronger than heroin and 100 times stronger than morphine. It's involved in four out of five "Gen Z" deaths. In the US, in 2021 there were 106,000 deaths and 70,000 involved fentanyl. Teen overdose deaths involving opioids have tripled. Illicit fentanyl and fake prescription deaths are rising in the Kansas City community. The bill also carves out carfentanil because it is 100 times more potent than fentanyl and 10,000 times more potent than morphine. A lot of the components of fentanyl are shipped from China and they are made by cartels.

Testifying in person for the bill were Representative Casteel; and Locke Thompson, Missouri Association of Prosecuting Attorneys.

OPponents: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.