

HB 49 -- OFFENSES INVOLVING THE TRAFFICKING OF DRUGS

SPONSOR: Haley

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Crime and Public Safety by a vote of 17 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 7 to 0 with 2 voting present.

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.

This bill is similar to HCS HB 2576 (2024)

PROPONENTS: Supporters say that this amends the offenses of drug trafficking. Supporters want to increase the penalties in an effort to pursue those who are dealing death in our communities. Carfentanil is 100 times more potent than fentanyl and that is why the penalties apply to any amount of carfentanil. One way to prevent people from bringing it into the State is to heighten the penalties for those who traffic in it. The State needs to catch and penalize those who are selling drugs on the streets of Missouri and penalize to the maximum extent of the law. It also needs to limit the deals given by county elected prosecutors. Fentanyl and other similar types of drugs are getting out of hand.

Testifying in person for the bill were Representative Haley; Arnie Dienoff.

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.