

**HOUSE** \_\_\_\_\_ **AMENDMENT NO.** \_\_\_\_\_

**Offered By**

1 AMEND House Committee Substitute for House Bill No. 1525, Page 1, Section A, Line 3, by  
2 inserting after all of said section and line, the following:

3  
4 “195.222. 1. A person commits the crime of trafficking drugs in the first degree if, except  
5 as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or  
6 attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or  
7 substance containing a detectable amount of heroin. Violations of this subsection shall be  
8 punished as follows:

9 (1) If the quantity involved is more than thirty grams but less than ninety grams the person  
10 shall be sentenced to the authorized term of imprisonment for a class A felony;

11 (2) If the quantity involved is ninety grams or more the person shall be sentenced to the  
12 authorized term of imprisonment for a class A felony which term shall be served without  
13 probation or parole.

14 2. A person commits the crime of trafficking drugs in the first degree if, except as  
15 authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or  
16 attempts to distribute, deliver, manufacture or produce more than one hundred fifty grams of a  
17 mixture or substance containing a detectable amount of coca leaves, except coca leaves and  
18 extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts  
19 have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers;  
20 ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or  
21 preparation which contains any quantity of any of the foregoing substances. Violations of this  
22 subsection shall be punished as follows:

23 (1) If the quantity involved is more than one hundred fifty grams but less than four  
24 hundred fifty grams the person shall be sentenced to the authorized term of imprisonment for a  
25 class A felony;

26 (2) If the quantity involved is four hundred fifty grams or more the person shall be  
27 sentenced to the authorized term of imprisonment for a class A felony which term shall be served  
28 without probation or parole.

29 3. A person commits the crime of trafficking drugs in the first degree if, except as  
30 authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or  
31 attempts to distribute, deliver, manufacture or produce more than [two] twenty eight grams of a  
32 mixture or substance described in subsection 2 of this section which contains cocaine base.  
33 Violations of this subsection shall be punished as follows:

34 (1) If the quantity involved is more than [two] twenty eight grams but less than [six] two  
35 hundred eighty grams the person shall be sentenced to the authorized term of imprisonment for a  
36 class A felony;

37 (2) If the quantity involved is [six] two hundred eighty grams or more the person shall be

1 sentenced to the authorized term of imprisonment for a class A felony which term shall be served  
2 without probation or parole.

3 4. A person commits the crime of trafficking drugs in the first degree if, except as  
4 authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or  
5 attempts to distribute, deliver, manufacture or produce more than five hundred milligrams of a  
6 mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD).

7 Violations of this subsection shall be punished as follows:

8 (1) If the quantity involved is more than five hundred milligrams but less than one gram  
9 the person shall be sentenced to the authorized term of imprisonment for a class A felony;

10 (2) If the quantity involved is one gram or more the person shall be sentenced to the  
11 authorized term of imprisonment for a class A felony which term shall be served without  
12 probation or parole.

13 5. A person commits the crime of trafficking drugs in the first degree if, except as  
14 authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or  
15 attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or  
16 substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection  
17 shall be punished as follows:

18 (1) If the quantity involved is more than thirty grams but less than ninety grams the person  
19 shall be sentenced to the authorized term of imprisonment for a class A felony;

20 (2) If the quantity involved is ninety grams or more the person shall be sentenced to the  
21 authorized term of imprisonment for a class A felony which term shall be served without  
22 probation or parole.

23 6. A person commits the crime of trafficking drugs in the first degree if, except as  
24 authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or  
25 attempts to distribute, deliver, manufacture or produce more than four grams of phencyclidine.  
26 Violations of this subsection shall be punished as follows:

27 (1) If the quantity involved is more than four grams but less than twelve grams the person  
28 shall be sentenced to the authorized term of imprisonment for a class A felony;

29 (2) If the quantity involved is twelve grams or more the person shall be sentenced to the  
30 authorized term of imprisonment for a class A felony which term shall be served without  
31 probation or parole.

32 7. A person commits the crime of trafficking drugs in the first degree if, except as  
33 authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or  
34 attempts to distribute, deliver, manufacture or produce more than thirty kilograms of a mixture or  
35 substance containing marijuana. Violations of this subsection shall be punished as follows:

36 (1) If the quantity involved is more than thirty kilograms but less than one hundred  
37 kilograms the person shall be sentenced to the authorized term of imprisonment for a class A  
38 felony;

39 (2) If the quantity involved is one hundred kilograms or more the person shall be  
40 sentenced to the authorized term of imprisonment for a class A felony which term shall be served  
41 without probation or parole.

42 8. A person commits the crime of trafficking drugs in the first degree if, except as  
43 authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or  
44 attempts to distribute, deliver, manufacture or produce more than thirty grams of any material,  
45 compound, mixture or preparation which contains any quantity of the following substances having  
46 a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts  
47 of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;

1 phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to  
2 violate this subsection shall be punished as follows:

3 (1) If the quantity involved is more than thirty grams but less than ninety grams the person  
4 shall be sentenced to the authorized term of imprisonment for a class A felony;

5 (2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty  
6 grams or more and the location of the offense was within two thousand feet of a school or public  
7 housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any  
8 structure or building which contains rooms furnished for the accommodation or lodging of guests,  
9 and kept, used, maintained, advertised, or held out to the public as a place where sleeping  
10 accommodations are sought for pay or compensation to transient guests or permanent guests, the  
11 person shall be sentenced to the authorized term of imprisonment for a class A felony which term  
12 shall be served without probation or parole.

13 9. A person commits the crime of trafficking drugs in the first degree if, except as  
14 authorized by sections 195.005 to 195.425, he or she distributes, delivers, manufactures, produces  
15 or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material,  
16 compound, mixture or preparation which contains any quantity of  
17 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this  
18 subsection shall be punished as follows:

19 (1) If the quantity involved is more than thirty grams but less than ninety grams the person  
20 shall be sentenced to the authorized term of imprisonment for a class A felony;

21 (2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty  
22 grams or more and the location of the offense was within two thousand feet of a school or public  
23 housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any  
24 structure or building which contains rooms furnished for the accommodation or lodging of guests,  
25 and kept, used, maintained, advertised, or held out to the public as a place where sleeping  
26 accommodations are sought for pay or compensation to transient guests or permanent guests, the  
27 person shall be sentenced to the authorized term of imprisonment for a class A felony which term  
28 shall be served without probation or parole.

29 195.223. 1. A person commits the crime of trafficking drugs in the second degree if,  
30 except as authorized by sections 195.005 to 195.425, he possesses or has under his control,  
31 purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or  
32 substance containing a detectable amount of heroin. Violations of this subsection shall be  
33 punished as follows:

34 (1) If the quantity involved is more than thirty grams but less than ninety grams the person  
35 shall be guilty of a class B felony;

36 (2) If the quantity involved is ninety grams or more the person shall be guilty of a class A  
37 felony.

38 2. A person commits the crime of trafficking drugs in the second degree if, except as  
39 authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or  
40 attempts to purchase, or brings into this state more than one hundred fifty grams of a mixture or  
41 substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca  
42 leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been  
43 removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its  
44 derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation  
45 which contains any quantity of any of the foregoing substances. Violations of this subsection  
46 shall be punished as follows:

47 (1) If the quantity involved is more than one hundred fifty grams but less than four

1 hundred fifty grams the person shall be guilty of a class B felony;

2 (2) If the quantity involved is four hundred fifty grams or more the person shall be guilty  
3 of a class A felony.

4 3. A person commits the crime of trafficking drugs in the second degree if, except as  
5 authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or  
6 attempts to purchase, or brings into this state more than [two] twenty eight grams of a mixture or  
7 substance described in subsection 2 of this section which contains cocaine base. Violations of this  
8 subsection shall be punished as follows:

9 (1) If the quantity involved is more than [two] twenty eight grams but less than [six] two  
10 hundred eighty grams the person shall be guilty of a class B felony;

11 (2) If the quantity involved is [six] two hundred eighty grams or more the person shall be  
12 guilty of a class A felony.

13 4. A person commits the crime of trafficking drugs in the second degree if, except as  
14 authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or  
15 attempts to purchase, or brings into this state more than five hundred milligrams of a mixture or  
16 substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this  
17 subsection shall be punished as follows:

18 (1) If the quantity involved is more than five hundred milligrams but less than one gram  
19 the person shall be guilty of a class B felony;

20 (2) If the quantity involved is one gram or more the person shall be guilty of a class A  
21 felony.

22 5. A person commits the crime of trafficking drugs in the second degree if, except as  
23 authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or  
24 attempts to purchase, or brings into this state more than thirty grams of a mixture or substance  
25 containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be  
26 punished as follows:

27 (1) If the quantity involved is more than thirty grams but less than ninety grams the person  
28 shall be guilty of a class B felony;

29 (2) If the quantity involved is ninety grams or more the person shall be guilty of a class A  
30 felony.

31 6. A person commits the crime of trafficking drugs in the second degree if, except as  
32 authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or  
33 attempts to purchase, or brings into this state more than four grams of phencyclidine. Violations  
34 of this subsection shall be punished as follows:

35 (1) If the quantity involved is more than four grams but less than twelve grams the person  
36 shall be guilty of a class B felony;

37 (2) If the quantity involved is twelve grams or more the person shall be guilty of a class A  
38 felony.

39 7. A person commits the crime of trafficking drugs in the second degree if, except as  
40 authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or  
41 attempts to purchase, or brings into this state more than thirty kilograms or more of a mixture or  
42 substance containing marijuana. Violations of this subsection shall be punished as follows:

43 (1) If the quantity involved is more than thirty kilograms but less than one hundred  
44 kilograms the person shall be guilty of a class B felony;

45 (2) If the quantity involved is one hundred kilograms or more the person shall be guilty of  
46 a class A felony.

47 8. A person commits the class A felony of trafficking drugs in the second degree if, except

1 as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or  
2 attempts to purchase, or brings into this state more than five hundred marijuana plants.

3 9. A person commits the crime of trafficking drugs in the second degree if, except as  
4 authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or  
5 attempts to purchase, or brings into this state more than thirty grams of any material, compound,  
6 mixture or preparation which contains any quantity of the following substances having a stimulant  
7 effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical  
8 isomers; methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts;  
9 or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be  
10 punished as follows:

11 (1) If the quantity involved is more than thirty grams but less than ninety grams the person  
12 shall be guilty of a class B felony;

13 (2) If the quantity involved is ninety grams or more but less than four hundred fifty grams,  
14 the person shall be guilty of a class A felony;

15 (3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty  
16 of a class A felony and the term of imprisonment shall be served without probation or parole.

17 10. A person commits the crime of trafficking drugs in the second degree if, except as  
18 authorized by sections 195.005 to 195.425, he or she possesses or has under his or her control,  
19 purchases or attempts to purchase, or brings into this state more than thirty grams of any material,  
20 compound, mixture or preparation which contains any quantity of  
21 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this  
22 subsection shall be punished as follows:

23 (1) If the quantity involved is more than thirty grams but less than ninety grams the person  
24 shall be guilty of a class B felony;

25 (2) If the quantity involved is ninety grams or more but less than four hundred fifty grams,  
26 the person shall be guilty of a class A felony;

27 (3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty  
28 of a class A felony and the term of imprisonment shall be served without probation or parole.”;  
29 and

30  
31 Further amend said bill by amending the title, enacting clause, and intersectional references  
32 accordingly.