

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

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

1 AMEND House Committee Bill No. 15, Page 28, Section 376.811, Line 82, by inserting after all of  
2 said section and line the following:

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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 but less than ninety grams of a mixture or substance containing a  
8 detectable amount of heroin;

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

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

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

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

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

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

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

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

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

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

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

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

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1 heroin; or

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

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

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

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

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

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

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

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

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

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

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

44 579.068. 1. A person commits the offense of trafficking drugs in the second degree if,  
45 except as authorized by this chapter or chapter 195, such person knowingly possesses or has under  
46 his or her control, purchases or attempts to purchase, or brings into this state:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 and its salts; or methylphenidate; or

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

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

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

10 (1) Any quantity of the following substances having a stimulant effect on the central  
11 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;  
12 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or  
13 methylphenidate; or

14 (2) Any quantity of 3,4-methylenedioxyamphetamine."; and  
15

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