

STATEMENT OF PURPOSE

RS27654 / H0469

This legislation increases the minimum quantities established for heroin in our drug trafficking statute. These changes will help provide that the trafficking statutes are applied to those participating in drug distribution and sales instead of those engaging solely in personal use. The sentencing time frames for heroin are being reduced to more closely correspond to other controlled substances in the statute. Fentanyl and its derivatives are described as being 100 to 1000 times more potent and dangerous than heroin. It is being added with the specified quantities and sentencing timeframes matching those established for heroin.

FISCAL NOTE

Legislation could have a neutral impact to the General Fund or to any other government fund because some criminal cases could increase while some could decrease. Trafficking in heroin cases could go down due to the fact that the amount of heroin is being raised from 2 grams to 5 grams in the bottom tier. Furthermore, the amount of prison time for the middle tier is being dropped from 10 years to 5 and the top tier is being dropped from 15 years to 10. Fentanyl is encountered less than heroin. Adding fentanyl to the statute could increase trafficking cases but any such cost increase cannot be quantified at this time.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).