

RÉSUMÉ DIGEST

ACT 671 (SB 315)

2022 Regular Session

Womack

Existing law provides that any person who produces, manufactures, distributes, or dispenses, or possesses with the intent to produce, manufacture, distribute, or dispense heroin, upon conviction for any amount, is to be imprisoned at hard labor for not less than five years nor more than 40 years and may, in addition, be required to pay a fine of not more than \$50,000.

New law provides that if the offender unlawfully distributes or dispenses heroin which is the direct cause of serious bodily injury to the person who ingested or consumed the substance, the offense will be classified as a crime of violence, and the offender is to be imprisoned at hard labor for not less than five years nor more than 40 years, at least five of which must be imposed without benefit of probation, parole, or suspension of sentence. In addition, the offender may be required to pay a fine of not more than \$50,000.

Existing law provides that any person who produces, manufactures, distributes, or dispenses, or possesses with the intent to produce, manufacture, distribute, or dispense fentanyl or carfentanil, upon conviction for any amount, is to be imprisoned at hard labor for not less than five years nor more than 40 years and may, in addition, be required to pay a fine of not more than \$50,000.

New law provides that if the offender unlawfully distributes or dispenses fentanyl or carfentanil which is the direct cause of serious bodily injury to the person who ingested or consumed the substance, the offense will be classified as a crime of violence, and the offender is to be imprisoned at hard labor for not less than five years nor more than 40 years. At least five years of the sentence of imprisonment must be imposed without benefit of probation, parole, or suspension of sentence. In addition, the offender may be required to pay a fine of not more than \$50,000.

New law is known as and may be cited as "Millie's Law".

Existing law provides for a list of certain enumerated existing law offenses that are included as crimes of violence.

New law retains existing law and adds the distribution of fentanyl or carfentanil which causes serious bodily injury and the distribution of heroin which causes serious bodily injury to the offenses included as crimes of violence.

Effective August 1, 2022.

(Amends R.S. 40:966(B)(3) and 967(B)(4); adds R.S. 14:2(B)(8) and (29))