

1 thousand dollars.

2 **(2) Whoever commits the crime of creation or operation of a clandestine**
3 **laboratory for the unlawful manufacture of fentanyl or a mixture or substance**
4 **containing a detectable amount of fentanyl or its analogues, or carfentanil or a**
5 **mixture or substance containing a detectable amount of carfentanil or its**
6 **analogues, shall be sentenced as follows:**

7 **(a) On a first conviction, imprisonment at hard labor for not less than**
8 **ten years nor more than forty years, at least ten years of which shall be served**
9 **without benefit of parole, probation, or suspension of sentence and may, in**
10 **addition, be required to pay a fine of not more than fifty thousand dollars.**

11 **(b) On a second conviction, imprisonment at hard labor for not less than**
12 **thirty years nor more than forty years, at least ten years of which shall be**
13 **served without benefit of parole, probation, or suspension of sentence and may,**
14 **in addition, be required to pay a fine of not more than five hundred thousand**
15 **dollars.**

16 **(c) On a third or subsequent conviction, imprisonment at hard labor for**
17 **not less than ninety-nine years, which shall be served without benefit of parole,**
18 **probation, or suspension of sentence and may, in addition, be required to pay**
19 **a fine of not more than five hundred thousand dollars.**

20 D. In addition to the ~~penalties~~ ~~penalty~~ provided in Subsection C of this
21 Section, a person convicted under the provisions of this Section may be ordered to
22 make restitution for the actual governmental cost incurred in the cleanup of any
23 hazardous waste resulting from the operation of a laboratory for the unlawful
24 manufacture of a controlled dangerous substance. The court may order that such
25 amount be paid directly to the governmental agency or agencies that actually
26 incurred the cleanup expense.

