
SENATE COMMITTEE AMENDMENTS

2023 Regular Session

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 90 by Representative Stefanski

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete "R.S. 40:967(B)(4)(a)" and insert "R.S. 14:2(B)(58)
3 and R.S. 40:967(B)(4)"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "carfentanil;" delete the remainder of the line and delete line 5 in its
6 entirety and insert the following:

7 "to provide relative to penalties for distribution or possession with intent to distribute
8 fentanyl or carfentanil; to provide for aggregate weights; to provide for enhanced
9 penalties; to provide relative to the distribution of fentanyl or carfentanil which
10 causes serious bodily injury;"

11 AMENDMENT NO. 3

12 On page 1, at the beginning of line 6, delete "more;"

13 AMENDMENT NO. 4

14 On page 1, line 9, delete "R.S. 40:967(B)(4)(a)" and insert "R.S. 40:967(B)(4)"

15 AMENDMENT NO. 5

16 On page 1, delete lines 16 through 19 and delete page 2 in its entirety and insert the
17 following:

18 "~~(4)(a)~~ Fentanyl or a mixture or substance containing a detectable amount
19 of fentanyl or its analogues, or carfentanil or a mixture or substance containing a
20 detectable amount of carfentanil or its analogues, ~~upon conviction for any amount,~~
21 shall be punished as follows:

22 (a) On conviction of an aggregate weight of less than twenty-eight grams,
23 shall be imprisoned imprisonment at hard labor for not less than five years nor more
24 than forty years, at least five years of which shall be served without benefit of parole,
25 probation, or suspension of sentence, and may, in addition, be required to pay a fine
26 of not more than fifty thousand dollars.

27 (b) On a first conviction of an aggregate weight of twenty-eight grams or
28 more but less than two hundred fifty grams, imprisonment at hard labor for not less
29 than seven years nor more than forty years, at least seven years of which shall be
30 served without benefit of parole, probation, or suspension of sentence, and may, in
31 addition, be required to pay a fine of not more than fifty thousand dollars.

32 (c) On a first conviction of an aggregate weight of two hundred fifty grams
33 or more, life imprisonment at hard labor, at least twenty-five years of which shall be
34 served without benefit of parole, probation, or suspension of sentence.

35 (d) On a second conviction of an aggregate weight of twenty eight grams or
36 more, imprisonment at hard labor for not less than thirty years nor more than forty
37 years, at least ten years of which shall be served without benefit of parole, probation,
38 or suspension of sentence, and may, in addition, be required to pay a fine of not more
39 than five hundred thousand dollars.

40 (e) On a third conviction of an aggregate weight of twenty eight grams or
41 more, imprisonment at hard labor for not less than ninety-nine years without benefit
42 of parole, probation, or suspension of sentence, and may, in addition, be required to
43 pay a fine of not more than five hundred thousand dollars.

