

RÉSUMÉ DIGEST

ACT 148 (SB 49)

2023 Regular Session

Hewitt

Existing law provides that whoever commits the crime of creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance is to be sentenced to imprisonment at hard labor for five to 15 years, and in addition may be fined up to \$25,000.

New law provides increased penalties for the creation or operation of a clandestine laboratory for the unlawful manufacture of a substance containing fentanyl or carfentanil as follows:

- (1) On a first conviction, the defendant will be imprisoned for not less than 10 nor more than 40 years, at least 10 years of which must be served without benefit of parole, probation, or suspension of sentence, and in addition may be fined not more than \$50,000.
- (2) On a second conviction, the defendant will be imprisoned for not less than 30 nor more than 40 years, at least 10 years of which must be served without benefit of parole, probation, or suspension of sentence, and in addition may be fined of not more than \$500,000.
- (3) On a third or subsequent conviction, the defendant will be imprisoned for not less than 99 years, to be served without benefit of parole, probation, or suspension of sentence, and in addition may be fined not more than \$500,000.

New law otherwise retains existing law.

Effective August 1, 2023.

(Amends R.S. 40:983(C) and (D))