

Regular Session, 2014

SENATE BILL NO. 87

BY SENATOR CLAITOR

CONTROL DANGER SUBSTANCE. Increases the maximum term of imprisonment for possession or distribution of heroin to 99 years. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:966(B), relative to penalties for certain drug offenses; to
3 increase the maximum term of imprisonment allowed for the manufacture,
4 distribution, or possession with intent to distribute heroin to ninety-nine years; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:966(B) is hereby amended and reenacted to read as follows:

8 §966. Penalty for distribution or possession with intent to distribute narcotic drugs
9 listed in Schedule I; possession of marijuana, possession of synthetic
10 cannabinoids, **possession of heroin**

11 * * *

12 B. Penalties for violation of Subsection A of this Section. Any person who
13 violates Subsection A of this Section with respect to:

14 (1) **Except as otherwise provided in Paragraph (4) of this Subsection, a**
15 ~~A~~ substance classified in Schedule I ~~which~~ **that** is a narcotic drug (all substances in
16 Schedule I preceded by an asterisk "*"), upon conviction shall be sentenced to
17 imprisonment **at hard labor** for not less than five nor more than fifty years, ~~at hard~~

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement Jr.

DIGEST

Claitor (SB 87)

Present law provides that any person convicted of manufacturing, distributing, or possessing with the intent to distribute certain narcotic drugs, including heroin, is to be sentenced to imprisonment at hard labor for a term of not less than five nor more than 50 years, at least five years of which must be served without benefit of probation or suspension of sentence, and may also be fined up to \$50,000.

Proposed law increases the maximum term of imprisonment at hard labor for the manufacture, distribution, or possession with intent to distribute heroin from 50 years to 99 years.

Proposed law otherwise retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:966(B))