

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 87 By Senator Claitor

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

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

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Increased the minimum term of imprisonment from five years to 10 years for the manufacture, distribution, or possession with intent to distribute heroin.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

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 minimum term of imprisonment from five to ten years except as provided in proposed law for heroin or of its analogues.

Proposed law provides penalties for manufacture, distribution or possession with intent to distribute heroin, upon first conviction, of imprisonment at hard labor for not less than ten nor more than 50 years, at least ten years to be served without benefit of probation or suspension of sentence and may be subject to a fine of not more than \$50,000.

Proposed law provides that as to manufacturer, distribution or possession with intent to distribute the narcotic drug heroin or a mixture or substance containing a detectable amount of heroin or of its analogues, upon conviction of a second or subsequent offense requires the offender to be sentenced to a term of imprisonment at hard labor for not less than ten nor more than 99 years, at least ten years of which shall be served without benefit of probation or suspension of sentence, and may, in addition, be required to pay a fine of not more than \$50,000.

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

(Amends R.S. 40:966(B)(1); Adds R.S. 40:966(B)(4))

Thomas L. Tyler
Deputy Chief of Staff