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## DIGEST

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HB 926 Original

2016 Regular Session

Dwight

**Abstract:** Increases criminal penalties for certain combinations of heroin and fentanyl.

Present law provides that it is unlawful for any person to knowingly or intentionally produce, manufacture, distribute, or dispense, or to possess with intent to produce, manufacture, distribute, or dispense, a controlled dangerous substance or a controlled substance analogue classified in Schedule I of present law (Uniform Controlled Dangerous Substances Law).

Proposed law retains present law.

Present law provides that with regard to a substance classified in present law that is the narcotic drug heroin or a mixture or substance containing a detectable amount of heroin or of its analogues, upon conviction of a first offense violation of present law the offender is to be sentenced to a term of imprisonment at hard labor for between 10 and 50 years, at least 10 years of which must be served without benefit of probation or suspension of sentence, and may, in addition, be required to pay a fine of up to \$50,000.

Proposed law provides that with regard to heroin combined with fentanyl (a powerful synthetic opiate analgesic similar to but more potent than morphine) or any of its analogues, upon a first conviction the offender is to be sentenced to a term of imprisonment at hard labor for between 20 and 99 years without benefit of parole, probation, or suspension of sentence. Proposed law otherwise retains present law.

Present law provides that with regard to a substance classified in present law that is 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 the offender is to be sentenced to a term of imprisonment at hard labor for between 10 and 99 years, at least 10 years of which must be served without benefit of probation or suspension of sentence, and may, in addition, be required to pay a fine of up to \$50,000.

Proposed law provides that with regard to heroin combined with fentanyl or any of its analogues, upon conviction of a second or subsequent offense the offender is to be sentenced to life imprisonment at hard labor without benefit of parole, probation, or suspension of sentence. Proposed law otherwise retains present law.

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

(Amends R.S. 40:966(B)(4))