
DIGEST

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Lopinto

HB No. 332

Abstract: Increases the minimum mandatory incarceration penalty for Schedule I narcotic drugs, including heroin and related compounds.

Present law provides penalties for the production, manufacturing, distribution, or dispensing of a controlled dangerous substance, or for the possession with the intent to produce, manufacture, distribute, or dispense a controlled dangerous substance, which is a narcotic drug, of imprisonment for not less than five nor more than 50 years at hard labor. Requires at least five years of the sentence to 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.

Proposed law increases the minimum mandatory penalty from five years to 10 years.

Present law provides penalties for the possession of a substance classified in Schedule I which is a narcotic drug of imprisonment at hard labor for not less than four years nor more than 10 years and may, in addition, be required to pay a fine of not more than \$5,000.

Proposed law adds a minimum mandatory sentence of two years of imprisonment without benefit of parole, probation, or suspension of sentence.

Proposed law provides that in addition to the criminal penalties, the person convicted of possession of a Schedule I narcotic shall be required to participate in a court-approved substance abuse program.

(Amends R.S. 40:966(B)(1) and (C)(1))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Added requirement that the offender participate in a court-approved substance abuse program in addition to other penalties.