

SENATE BILL NO. 87

BY SENATORS CLAITOR, ALARIO, AMEDEE, DONAHUE, ERDEY, GARY SMITH,  
TARVER AND WARD

1 AN ACT

2 To amend and reenact R.S. 40:966(B)(1) and to enact R.S. 40:966(B)(4), relative to certain  
3 drug offenses; to increase the maximum term of imprisonment allowed for the  
4 manufacture, distribution, or possession with intent to distribute heroin to ninety-  
5 nine years; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:966(B)(1) is hereby amended and reenacted and R.S.  
8 40:966(B)(4) is hereby enacted to read as follows:

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

12 \* \* \*

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

15 (1) **Except as otherwise provided in Paragraph (4) of this Subsection, a**  
16 ~~△~~ substance classified in Schedule I ~~which~~ **that** is a narcotic drug (all substances in  
17 Schedule I preceded by an asterisk "\*"), upon conviction shall be sentenced to  
18 imprisonment **at hard labor** for not less than ~~five~~ **ten** nor more than fifty years, ~~at~~  
19 ~~hard labor~~ at least ~~five~~ **ten** years of which shall be served without benefit of  
20 probation; or suspension of sentence, and may, in addition, be required to pay a fine  
21 of not more than fifty thousand dollars.

22 \* \* \*

23 **(4)(a) A substance classified in Schedule I that is the narcotic drug heroin**  
24 **or a mixture or substance containing a detectable amount of heroin or of its**  
25 **analogues upon conviction of a first offense shall be sentenced to a term of**

