

BILL SUMMARY
1st Session of the 57th Legislature

Bill No.:	HB 1100
Version:	PCS
Request Number:	8116
Author:	Rep. Manger
Date:	2/28/2019
Impact:	Reduces sentences and fines

Research Analysis

The proposed committee substitute to HB 1100 modifies the Uniform Controlled Dangerous Substances Act clarifying the crime of manufacturing or distribution of any synthetic controlled substance. The measure also clarifies the crime of transporting with intent to distribute or dispense, possesses with intent to distribute, or possess with intent to manufacture a controlled dangerous substance, a synthetic controlled substance or an imitation controlled substance. The measure provides the elements to be proven for intent to distribute. The measure modifies the terms of imprisonment for violations of the Uniform Controlled Dangerous Substances Act. The measure reduces the distance requirements for a person to be able to be charged with distribution near a school from 2,000 feet to 500 feet and requires the offense to occur during the hours of operation of the location. The measure modifies the penalty for unlawful manufacturing or possession of a controlled substance by changing the term of imprisonment from not less than 7 years to life imprisonment to not more than 10 years imprisonment and lowers the fine from not less than \$50,000 to not more than \$25,000. The measure provides that the punishment for a second offenses is punishable by imprisonment of not more than 15 years and any subsequent offense is punishable by up to 20 years imprisonment. The measure provides thresholds for the unlawful manufacturing of marijuana. The measure modifies the penalty for the manufacture of certain large amounts of drugs by changing the penalty from not less than 20 years to life to not less than 30 years imprisonment and requires the offenders to serve a minimum of 65% of the sentence rather than the current 85%.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 1100, which reduces certain sentences and fines, could produce cost savings for DOC as well as revenue loss for those state agencies who receive a portion of court fines. The exact impact is contingent upon how many individuals receive reduced sentences and how many individuals pay reduced fines. The average yearly cost of incarceration in DOC custody is \$21,425.50 per inmate.

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Other Considerations

None.

