

## Senate Bill 3 Drug Threshold Comparison

### AGGRAVATED TRAFFICKING IN DRUGS

DRUG	SB 3 THRESHOLD	LEVEL	CURRENT THRESHOLD
SCHEDULE I OR II	$\geq 50 \rightarrow < 100 \times$ bulk	F2 Mandatory	$\geq 5 \rightarrow < 50 \times$ bulk
	$\geq 100 \times$ bulk	F1 mandatory	$\geq 50 \rightarrow < 100 \times$ bulk $\geq 100 \times$ bulk (MDO)
SCH I OR II SEXUAL ASSAULT ENABLING DRUG	$\geq 50 \rightarrow < 100 \times$ bulk	F1 Mandatory	No distinction for these substances
	$\geq 100 \times$ bulk	F1 MDO Mandatory Max	No distinction for these substances
FENTANYL- RELATED COMPOUNDS	$\geq 10 \text{ g} \rightarrow < 20 \text{ g};$ $\geq 100 \text{ UD} \rightarrow < 200 \text{ UD}$	F2 Mandatory Vicinity of school/juvenile = F1 Mandatory	same
	$\geq 20 \text{ g} \rightarrow < 50 \text{ g};$ $\geq 200 \text{ UD} \rightarrow < 500 \text{ UD}$	F1 mandatory	same
	$\geq 50 \text{ g} \rightarrow < 100 \text{ g};$ $\geq 500 \text{ UD} \rightarrow < 1000 \text{ UD}$	F1 Mandatory max	same
	$\geq 100 \text{g}$ $\geq 1000 \text{ UD}$	MDO	same
MARIJUANA	$\geq 40 \text{ kg}$	F2 Mandatory	$\geq 40 \text{ kg}$ mandatory F2 max Vicinity of school/juvenile is
COCAINE	$\geq 50 \text{ g} \rightarrow < 100 \text{ g}$	F2 Mandatory	$\geq 20 \text{ g} \rightarrow < 27 \text{ g}$
	$\geq 100 \text{ g} \rightarrow < 250 \text{ g}$	F1 Mandatory	$\geq 27 \text{ g} \rightarrow < 100 \text{ g}$
	$\geq 250 \text{ g}$	F1 MDO Mandatory 10 or 11	$\geq 100 \text{ g}$
LSD: SOLID LSD: LIQUID	$\geq 500 \text{ UD} \rightarrow < 5000 \text{ UD}$ $\geq 50 \text{ g} \rightarrow < 500 \text{ g}$	F2 Mandatory	$\geq 250 \text{ UD} \rightarrow < 1000 \text{ UD}$ $\geq 25 \text{ g} \rightarrow < 100 \text{ g}$
	$\geq 5000 \text{ UD}$ $\geq 500 \text{ g}$	F1 Mandatory	$\geq 1000 \text{ UD} \rightarrow < 5000 \text{ UD}$ $\geq 100 \text{ g} \rightarrow < 500 \text{ g}$
HEROIN	$\geq 30 \text{ g} \rightarrow < 50 \text{ g};$ $\geq 300 \text{ UD} \rightarrow < 500 \text{ UD}$	F2 Mandatory	$\geq 10 \text{ g} \rightarrow < 50 \text{ g};$ $\geq 100 \text{ UD} \rightarrow < 500 \text{ UD}$
	$\geq 50 \text{ g} \rightarrow < 100 \text{ g};$ $\geq 500 \text{ UD} \rightarrow < 1000 \text{ UD}$	F1 Mandatory	$\geq 50 \text{ g} \rightarrow < 100 \text{ g};$ $\geq 500 \text{ UD} \rightarrow < 1000 \text{ UD}$
	$\geq 100 \text{ g}; \geq 1000 \text{ UD}$	F1 Mandatory	$\geq 100 \text{ g}; \geq 1000 \text{ UD}$
HASHISH	$\geq 2 \text{ kg}$	F2 Mandatory	$\geq 2 \text{ kg}$ (solid) $\geq 400 \text{ g}$ (liquid)
CONTROLLED SUBSTANCE ANALOG	$\geq 30 \text{ g} \rightarrow < 40 \text{ g}$	F2 Mandatory	Same
	$\geq 40 \text{ g} \rightarrow < 50 \text{ g}$	F1 Mandatory	Same
	$\geq 50 \text{ g}$	F1 MDO Mandatory 10 or 11	Same

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<b>MAJOR TRAFFICKING IN DRUGS</b>			
DRUG	RECOD THRESHOLD	LEVEL	CURRENT THRESHOLD
SCHEDULE I OR II	$\geq$ bulk $\rightarrow$ $<$ 50 x bulk	F3	$\geq$ bulk $\rightarrow$ $<$ 5 x bulk
SCH I OR II SEXUAL ASSAULT ENABLING DRUG	$\geq$ bulk $\rightarrow$ $<$ 5 x bulk	F3 w/presumption w/2 priors F3 mandatory if VSJ F2 mandatory	No distinction for these substances
	$\geq$ 5 x bulk $\rightarrow$ $<$ 50 x bulk	F2 Mandatory If VSJ F1 Mandatory	No distinction for these substances
SCHEDULE III, IV, OR V	$\geq$ 5 x bulk	F3	$\geq$ 5 x bulk $\rightarrow$ $<$ 50 x bulk
SCH III, IV, OR V SEXUAL ASSAULT ENABLING DRUG	$\geq$ 5 x bulk $\rightarrow$ $<$ 50 x bulk	F3 w/presumption if VSJ F2 mandatory	No distinction for these substances
	$\geq$ 50 x bulk	F2 Mandatory If VSJ F1 Mandatory	No distinction for these substances
FENTANYL-RELATED COMPOUNDS	$\geq$ 50ud $\rightarrow$ $<$ 100ud $\geq$ 5g $\rightarrow$ $<$ 10g	F3 w/presumption If VSJ F2 w/presumption	same
MARIJUANA	$\geq$ 1 kg $\rightarrow$ $<$ 40 kg	F3	$\geq$ 1 kg $\rightarrow$ $<$ 5 kg
COCAINE	$\geq$ 10 g $\rightarrow$ $<$ 50 g	F3	$\geq$ 10 g $\rightarrow$ $<$ 20 g
LSD: SOLID LSD: LIQUID	$\geq$ 50 UD $\rightarrow$ $<$ 500 UD $\geq$ 5 g $\rightarrow$ $<$ 50 g	F3	$\geq$ 50 UD $\rightarrow$ $<$ 250 UD $\geq$ 5 g $\rightarrow$ $<$ 25 g
HEROIN	$\geq$ 5 g $\rightarrow$ $<$ 30 g; $\geq$ 50 UD $\rightarrow$ $<$ 300 UD	F3	$\geq$ 5 g $\rightarrow$ $<$ 10 g; $\geq$ 50 UD $\rightarrow$ $<$ 100 UD
HASHISH	$\geq$ 50 g $\rightarrow$ $<$ 2 kg	F3	$\geq$ 250 g $\rightarrow$ $<$ 1 kg (solid) $\geq$ 50 g $\rightarrow$ $<$ 200 g
CONTROLLED SUBSTANCE ANALOG	$\geq$ 20 g $\rightarrow$ $<$ 30 g	F3	$\geq$ 20 g $\rightarrow$ $<$ 30 g

## Senate Bill 3 Drug Threshold Comparison

### TRAFFICKING IN DRUGS

DRUG	SB3 THRESHOLD	LEVEL	CURRENT THRESHOLD
<b>SCHEDULE I OR II</b>	$\geq 0.025g \rightarrow < \text{bulk}$	F5	n/a
	n/a	F4	< bulk
<b>SCH I OR II SEXUAL ASSAULT ENABLING DRUG</b>	$\geq 0.025g \rightarrow < \text{bulk}$	F4 If VJS F3	
<b>SCHEDULE III, IV, OR V</b>	$\geq 0.025g \rightarrow < \text{bulk}$	F5	< bulk
	$\geq \text{bulk} \rightarrow < 5 \times \text{bulk}$	F4	$\geq \text{bulk} \rightarrow < 5 \times \text{bulk}$
<b>SCH III, IV, OR V SEXUAL ASSAULT ENABLING DRUG</b>	$\geq 0.025g \rightarrow < \text{bulk}$	F5 If VSJ F4	No distinction for these substances
	$\geq \text{bulk} \rightarrow < 5 \times \text{bulk}$	F4 If VSJ F3 w/presumption	No distinction for these substances
<b>MARIJUANA</b>	Gift $\leq 20g$	MM M3 with prior	same
	$\geq 0.025g \rightarrow < 1 \text{ kg}$	F5	< 200 g
<b>COCAINE</b>	$\geq 0.025g \rightarrow < 10 \text{ g}$	F5	< 5 g
<b>LSD: SOLID LSD: LIQUID</b>	$\geq 0.25 \text{ UD} \rightarrow < 50 \text{ UD}$ $\geq 0.025 \text{ g} \rightarrow < 5 \text{ g}$	F5	< 10 UD < 2 g
<b>HEROIN</b>	$\geq 0.025g \rightarrow < 1 \text{ g};$ $\geq 0.25 \text{ UD} \rightarrow < 10 \text{ UD}$	F5	< 1 g; < 10 UD
	$\geq 1 \text{ g} \rightarrow < 5 \text{ g};$ $\geq 10 \text{ UD} \rightarrow < 50 \text{ UD}$	F4	$\geq 1 \text{ g} \rightarrow < 5 \text{ g};$ $\geq 10 \text{ UD} \rightarrow < 50 \text{ UD}$
<b>FENTANYL-RELATED COMPOUND</b>	$\geq 0.025g \rightarrow < 1 \text{ g};$ $\geq 0.25 \text{ UD} \rightarrow < 10 \text{ UD}$	F5 If VSJ F4	same
	$\geq 1 \text{ g} \rightarrow < 5 \text{ g};$ $\geq 10 \text{ UD} \rightarrow < 50 \text{ UD}$	F4 If VSJ F3 w/ presumption	same
<b>HASHISH</b>	$\geq 0.025g \rightarrow < 50 \text{ g}$	F5	< 10 g (solid) < 2 g (liquid)
<b>CONTROLLED SUBSTANCE ANALOG</b>	$\geq 0.025g \rightarrow < 10 \text{ g}$	F5	< 10 g
	$\geq 10 \text{ g} \rightarrow < 20 \text{ g}$	F4	$\geq 10 \text{ g} \rightarrow < 20 \text{ g}$

## Senate Bill 3 Drug Threshold Comparison

### UNLAWFUL POSSESSION OF DRUGS

DRUG	SB 3 THRESHOLD	LEVEL	CURRENT THRESHOLD
SCHEDULE I OR II	$\geq 0.025\text{g} \rightarrow < \text{bulk}$	UM	$< \text{bulk} = \text{F5}$ $\geq \text{bulk} \rightarrow < 5 \times \text{bulk} = \text{F3}$
SCH I OR II SEXUAL ASSAULT ENABLING DRUGS	$< \text{bulk}$	F5	No distinction for these substances
SCHEDULE III, IV, OR V	$\geq 0.025\text{g} \rightarrow < 5 \times \text{bulk}$	M1 (proposed M1)	$< \text{bulk} = \text{M1}$ Enhanceable to F5 w/prior $\geq \text{bulk} \rightarrow < 5 \times \text{bulk} = \text{F4}$
SCH III, IV, OR V SEXUAL ASSAULT ENABLING DRUGS	$< 5 \times \text{bulk}$	M1 F5 w/prior	No distinction for these substances
COCAINE	$\geq 0.025\text{g} \rightarrow < 10 \text{g}$	UM	$< 5 \text{g} = \text{F5}$ $\geq 5 \text{g} \rightarrow < 10 \text{g} = \text{F4}$
LSD: SOLID LSD: LIQUID	$\geq 0.25 \text{UD} \rightarrow < 50 \text{UD}$ $\geq 0.025\text{g} \rightarrow < 5 \text{g}$	UM	$< 10 \text{UD}, < 1 \text{g} = \text{F5}$ $\geq 10 \text{UD} \rightarrow < 50 \text{UD}, \geq 1\text{g} \rightarrow < 5 \text{g}$ =F4
HEROIN	$\geq 0.025\text{g} \rightarrow < 5 \text{g};$ $\geq 0.25 \text{UD} \rightarrow < 50 \text{UD}$	UM	$< 1 \text{g}; < 10 \text{UD} = \text{F5}$ $\geq 1\text{g} \rightarrow < 5 \text{g}; \geq 10 \text{UD} \rightarrow < 50 \text{UD}$ = F4
FENTANYL-RELATED COMPOUND	$\geq 0.025\text{g} \rightarrow < 1 \text{g};$ $\geq 0.25 \text{UD} \rightarrow < 10 \text{UD}$	F5	Same
	$\geq 1 \text{g} \rightarrow < 5 \text{g};$ $\geq 10 \text{UD} \rightarrow < 50 \text{UD}$	F4	Same
CONTROLLED SUBSTANCE ANALOG	$\geq 0.025\text{g} \rightarrow < 20\text{g}$	F-5 (proposed UM)	$< 10\text{g} = \text{F5}$ $\geq 10 \text{g} \rightarrow < 20 \text{g} = \text{F4}$

## Senate Bill 3 Drug Threshold Comparison

### POSSESSION OF MARIJUANA

DRUG	SB 3 THRESHOLD	LEVEL	CURRENT THRESHOLD
<b>MARIJUANA</b>	$\geq 0.025\text{g} \rightarrow < 200\text{ g}$	Minor Misdemeanor	$< 100\text{ g} = \text{MM}$
	$\geq 200\text{ g} \rightarrow < 400\text{ g}$	M4	$\geq 100\text{ g} \rightarrow < 200\text{ g} = \text{M4}$
	$\geq 400\text{ g} \rightarrow < 1\text{ kg}$	M1	$\geq 200\text{ g} < 1\text{ kg} = \text{F5}$
<b>HASHISH</b>	$\geq 0.025\text{g} \rightarrow < 10\text{ g}$	Minor Misdemeanor	$< 5\text{ g (solid)}$ $< 1\text{ g (liquid)}$
	$\geq 10\text{ g} \rightarrow < 20\text{ g}$	M4	$\geq 5\text{ g} < 10\text{ g (solid)}$ $\geq 1\text{ g} < 2\text{ g (liquid)}$
	$\geq 20\text{ g} \rightarrow < 50\text{ g}$	M1	$\geq 10\text{ g} < 50\text{ g (solid)} = \text{F5}$ $\geq 2\text{ g} < 10\text{ g (liquid)} = \text{F5}$