

STATEMENT OF PURPOSE

RS30131 / H0067

This legislation modifies the quantities provided regarding heroin in the drug trafficking statute and the sentences involved. These changes will help provide that the trafficking statutes are applied to those participating in drug distribution and sales instead of those engaging solely in personal use. The sentencing time frames are being modified to more closely correspond to other controlled substances in the statute. Fentanyl and its derivatives are often 1000 times more potent and dangerous than heroin. It is being added to the trafficking statutes to reduce fentanyl drug trafficking in Idaho.

FISCAL NOTE

This legislation could have a neutral impact to the general fund or to any other government fund because some criminal cases could increase while some decrease. Trafficking in heroin cases could go down since the amount of heroin needed to be possessed for a mandatory minimum is being raised from 2 grams to 7 grams in the bottom tier and from 10 grams to 14 grams in the middle tier. Furthermore, the amount of time in prison for the middle tier is being lowered from 10 years to 5 years and the top tier is being lowered from 15 years to 10 years. Adding fentanyl to the mandatory minimum statute could increase trafficking cases but any cost increase cannot be quantified at this time.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).