

Senate Bill 3 Drug Threshold Comparison

AGGRAVATED TRAFFICKING IN DRUGS

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

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MAJOR TRAFFICKING IN DRUGS			
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

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TRAFFICKING IN DRUGS

DRUG	SB3 THRESHOLD	LEVEL	CURRENT THRESHOLD
SCHEDULE I OR II	$\geq 0.025\text{g} \rightarrow < \text{bulk}$	F5	n/a
	n/a	F4	< bulk
SCH I OR II SEXUAL ASSAULT ENABLING DRUG	$\geq 0.025\text{g} \rightarrow < \text{bulk}$	F4 If VJS F3	
SCHEDULE III, IV, OR V	$\geq 0.025\text{g} \rightarrow < \text{bulk}$	F5	< bulk
	$\geq \text{bulk} \rightarrow < 5 \times \text{bulk}$	F4	$\geq \text{bulk} \rightarrow < 5 \times \text{bulk}$
SCH III, IV, OR V SEXUAL ASSAULT ENABLING DRUG	$\geq 0.025\text{g} \rightarrow < \text{bulk}$	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
MARIJUANA	Gift $\leq 20\text{g}$	MM M3 with prior	same
	$\geq 0.025\text{g} \rightarrow < 1 \text{ kg}$	F5	< 200 g
COCAINE	$\geq 0.025\text{g} \rightarrow < 10 \text{ g}$	F5	< 5 g
LSD: SOLID LSD: LIQUID	$\geq 0.25 \text{ UD} \rightarrow < 50 \text{ UD}$ $\geq 0.025 \text{ g} \rightarrow < 5 \text{ g}$	F5	< 10 UD < 2 g
HEROIN	$\geq 0.025\text{g} \rightarrow < 1 \text{ g};$ $\geq 0.25 \text{ UD} \rightarrow < 10 \text{ UD}$	F5	< 1 g; < 10 UD
	$\geq 1 \text{ g} \rightarrow < 5 \text{ g};$ $\geq 10 \text{ UD} \rightarrow < 50 \text{ UD}$	F4	$\geq 1 \text{ g} \rightarrow < 5 \text{ g};$ $\geq 10 \text{ UD} \rightarrow < 50 \text{ UD}$
FENTANYL-RELATED COMPOUND	$\geq 0.025\text{g} \rightarrow < 1 \text{ g};$ $\geq 0.25 \text{ UD} \rightarrow < 10 \text{ UD}$	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
HASHISH	$\geq 0.025\text{g} \rightarrow < 50 \text{ g}$	F5	< 10 g (solid) < 2 g (liquid)
CONTROLLED SUBSTANCE ANALOG	$\geq 0.025\text{g} \rightarrow < 10 \text{ g}$	F5	< 10 g
	$\geq 10 \text{ g} \rightarrow < 20 \text{ g}$	F4	$\geq 10 \text{ g} \rightarrow < 20 \text{ g}$

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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	$< 10 \text{UD}, < 1 \text{g} = \text{F5}$ $\geq 10 \text{UD} \rightarrow < 50 \text{UD}, \geq 1\text{g} \rightarrow < 5 \text{g} = \text{F4}$
HEROIN	$\geq 0.025\text{g} \rightarrow < 5 \text{g};$ $\geq 0.25 \text{UD} \rightarrow < 50 \text{UD}$	UM	$< 1 \text{g}; < 10 \text{UD} = \text{F5}$ $\geq 1\text{g} \rightarrow < 5 \text{g}; \geq 10 \text{UD} \rightarrow < 50 \text{UD} = \text{F4}$
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)	$< 10\text{g} = \text{F5}$ $\geq 10 \text{g} \rightarrow < 20 \text{g} = \text{F4}$

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POSSESSION OF MARIJUANA

DRUG	SB 3 THRESHOLD	LEVEL	CURRENT THRESHOLD
MARIJUANA	$\geq 0.025\text{g} \rightarrow < 200\text{ g}$	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	$\geq 200\text{ g} < 1\text{ kg} = \text{F5}$
HASHISH	$\geq 0.025\text{g} \rightarrow < 10\text{ g}$	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	$\geq 10\text{ g} < 50\text{ g (solid)} = \text{F5}$ $\geq 2\text{ g} < 10\text{ g (liquid)} = \text{F5}$