

# House Study Bill 136

## Bill Text

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1 1 Section 1. Section [124.401](#), subsection 1, paragraph a,  
1 2 subparagraph (2), Code 2001, is amended by adding the  
1 3 following new subparagraph subdivision:

1 4 NEW SUBPARAGRAPH SUBDIVISION. (g) 3,4-  
1 5 methylenedioxyamphetamine (MDMA), its salts, isomers, or  
1 6 salts of isomers or analogs of MDMA.

1 7 Sec. 2. Section [124.401](#), subsection 1, paragraph b, Code  
1 8 2001, is amended by adding the following new subparagraph:

1 9 NEW SUBPARAGRAPH. (9) More than ten grams but not more  
1 10 than five kilograms of 3,4-methylenedioxyamphetamine  
1 11 (MDMA), its salts, isomers, or salts of isomers, or any  
1 12 compound, mixture or preparation which contains any quantity  
1 13 of detectable amount of MDMA, its salts, isomers, or salts of  
1 14 isomers, or analogs of MDMA.

1 15 Sec. 3. Section [124.401](#), subsection 1, paragraph c, Code  
1 16 2001, is amended by adding the following new subparagraph:

1 17 NEW SUBPARAGRAPH. (7A) Ten grams or less of 3,4-  
1 18 methylenedioxyamphetamine (MDMA), its salts, isomers, or  
1 19 salts of isomers, or analogs of MDMA, or any compound, mixture  
1 20 or preparation which contains any quantity of detectable  
1 21 amount of MDMA, its salts, isomers, or salts of isomers, or  
1 22 analogs of MDMA.

1 23 EXPLANATION

1 24 This bill creates new criminal offenses related to the drug  
1 25 3,4-methylenedioxyamphetamine (MDMA), commonly referred to  
1 26 as "ecstasy".

1 27 The bill provides that a person who conspires to  
1 28 manufacture for delivery, delivers or conspires to deliver, or  
1 29 possesses with the intent to deliver, MDMA, commits what is  
1 30 commonly referred to as a super class "B" felony, if the  
1 31 amount of MDMA is greater than 5 kilograms. A person commits  
1 32 a class "B" felony, if the amount of MDMA is more than 10  
1 33 grams but not more than 5 kilograms. If the amount of MDMA is  
1 34 10 grams or less, the person commits a class "C" felony.

1 35 Current law under Code section 124.401(1)(c)(8) provides that  
2 1 a person commits a class "C" felony, regardless of the  
2 2 quantity of MDMA involved in the criminal activity.

2 3 A super class "B" felony is punishable by confinement for  
2 4 no more than 50 years and a fine of not more than \$1 million.  
2 5 A class "B" felony is punishable by confinement for no more  
2 6 than 25 years. A class "C" felony is punishable by  
2 7 confinement for no more than 10 years and a fine of at least  
2 8 \$1,000 but not more than \$10,000.

2 9 LSB 1652XL 79

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