

# House File 572 - Introduced

HOUSE FILE \_\_\_\_\_  
BY FORD

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the unlawful manufacture, delivery, or  
2 possession with intent to manufacture or deliver a substance  
3 or counterfeit substance containing cocaine base.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2188HH 82  
6 jm/es/88

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1 1 Section 1. Section 124.401, subsection 1, paragraph a,  
1 2 subparagraph (2), Code 2007, is amended by adding the  
1 3 following new subparagraph subdivision:  
1 4 NEW SUBPARAGRAPH SUBDIVISION. (e) Any compound, mixture,  
1 5 or preparation which contains any quantity of any of the  
1 6 substances referred to in subparagraph subdivisions (a)  
1 7 through (c) that contains cocaine base.  
1 8 Sec. 2. Section 124.401, subsection 1, paragraph a,  
1 9 subparagraph (3), Code 2007, is amended by striking the  
1 10 subparagraph.  
1 11 Sec. 3. Section 124.401, subsection 1, paragraph b,  
1 12 subparagraph (2), Code 2007, is amended by adding the  
1 13 following new subparagraph subdivision:  
1 14 NEW SUBPARAGRAPH SUBDIVISION. (e) Any compound, mixture,  
1 15 or preparation which contains any quantity of any of the  
1 16 substances referred to in subparagraph subdivisions (a)  
1 17 through (c) that contains cocaine base.  
1 18 Sec. 4. Section 124.401, subsection 1, paragraph b,  
1 19 subparagraph (3), Code 2007, is amended by striking the  
1 20 subparagraph.  
1 21 Sec. 5. Section 124.401, subsection 1, paragraph c,  
1 22 subparagraph (2), Code 2007, is amended by adding the  
1 23 following new subparagraph subdivision:  
1 24 NEW SUBPARAGRAPH SUBDIVISION. (e) Any compound, mixture,  
1 25 or preparation which contains any quantity of any of the  
1 26 substances referred to in subparagraph subdivisions (a)  
1 27 through (c) that contains cocaine base.  
1 28 Sec. 6. Section 124.401, subsection 1, paragraph c,  
1 29 subparagraph (3), Code 2007, is amended by striking the  
1 30 subparagraph.

### EXPLANATION

1 31  
1 32 This bill relates to the unlawful manufacture, delivery, or  
1 33 possession with intent to manufacture or deliver a substance  
1 34 or counterfeit substance containing cocaine base, commonly  
1 35 known as crack cocaine.

2 1 The bill provides that a person who unlawfully  
2 2 manufactures, delivers, or possesses with the intent to  
2 3 manufacture or deliver more than 500 grams of a substance  
2 4 containing cocaine base, commits a class "B" felony,  
2 5 punishable by confinement for no more than 50 years, and a  
2 6 fine of not more than \$1 million. Under existing law, if an  
2 7 offense involves more than 50 grams of a substance containing  
2 8 cocaine base, the person commits a class "B" felony,  
2 9 punishable by confinement for no more than 50 years, and a  
2 10 fine of not more than \$1 million.

2 11 The bill provides that a person who unlawfully  
2 12 manufactures, delivers, or possesses with the intent to  
2 13 manufacture or deliver more than 100 grams but not more than  
2 14 500 grams of a substance containing cocaine base, commits a  
2 15 class "B" felony, punishable by confinement for no more than  
2 16 25 years, and a fine of not less than \$5,000 but not more than  
2 17 \$100,000. Under existing law, if an offense involves more  
2 18 than 10 grams but not more than 50 grams of a substance  
2 19 containing cocaine base, the person commits a class "B"

2 20 felony, punishable by confinement for no more than 25 years,  
2 21 and a fine of not less than \$5,000 but not more than \$100,000.  
2 22 The bill provides that a person who unlawfully  
2 23 manufactures, delivers, or possesses with the intent to  
2 24 manufacture or deliver 100 grams or less of a substance  
2 25 containing cocaine base, commits a class "C" felony,  
2 26 punishable by confinement for no more than 10 years, and a  
2 27 fine of not less than \$1,000 but not more than \$15,000. Under  
2 28 existing law, if an offense involves 10 grams or less of a  
2 29 substance containing cocaine base, the person commits a class  
2 30 "C" felony, punishable by confinement for no more than 10  
2 31 years, and a fine of not less than \$1,000 but not more than  
2 32 \$15,000.  
2 33 LSB 2188HH 82  
2 34 jm:rj/es/88