

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass and Be Referred to the Committee on Ways and Means
Vote:	9 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Williamson, Barker
Nays:	0
Exc.:	0
Prepared By:	Mike Schmidt, Counsel
Meeting Dates:	4/1, 4/15

WHAT THE MEASURE DOES: Creates crimes of drug induced homicide. Mandates sentence for delivery of controlled substance that leads to death of another be at least 20 years imprisonment if substance was delivered for consideration. Mandates sentence of 12 years if controlled substance was delivered for no consideration. Creates crime of drug induced assault. Creates crime of drug induced assault where controlled substance caused serious physical injury. Mandates presumptive sentence of 12 years prison.

ISSUES DISCUSSED:

- Prosecutors will be able to use the lengthier sentences to negotiate cooperation agreements with defendants in order to work up the drug dealer chain in order to get bigger dealers
- The sentences are not mandatory

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: This law would be akin to the “Len Bias” federal law that mandates harsh punishments for those who deliver controlled substances that cause the deaths of others. This law would also be a strong tool that would allow prosecutors to negotiate deals that could deliver them dealers higher up the chain of distribution.