

SENATE SUBSTITUTE TO HB 1441:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated,
2 relating to regulation of controlled substances, so as to create a new offense relative to
3 trafficking in 3, 4-methylenedioxyamphetamine or 3, 4-methylenedioxymethamphetamine,
4 commonly known as ecstasy; to provide for penalties; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7
8 Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to
9 regulation of controlled substances, is amended by adding a new Code section to the article
10 to read as follows:

11 "16-13-31.1.

12 Any person who knowingly sells, manufactures, delivers, brings into this state, or has
13 possession of 28 grams or more of 3, 4-methylenedioxyamphetamine or 3,
14 4-methylenedioxymethamphetamine, or any mixture containing
15 3,4-methylenedioxyamphetamine or 3, 4-methylenedioxymethamphetamine as described
16 in Schedule I, in violation of this article commits the felony offense of trafficking in 3,
17 4-methylenedioxyamphetamine or 3, 4-methylenedioxymethamphetamine and, upon
18 conviction thereof, shall be punished as follows:

19 (1) If the quantity of such substance involved is 28 grams or more, but less than 200
20 grams, the person shall be sentenced to a mandatory minimum term of imprisonment of
21 three years but not more than 30 years and shall pay a fine of not less than \$25,000.00 nor
22 more than \$250,000.00;

23 (2) If the quantity of such substance involved is 200 grams or more, but less than 400
24 grams, the person shall be sentenced to a mandatory minimum term of imprisonment of
25 five years but not more than 30 years and shall pay a fine of not less than \$50,000.00 nor
26 more than \$250,000.00; and

1 (3) If the quantity of such substance involved is 400 grams or more, the person shall be
2 sentenced to a mandatory minimum term of imprisonment of 10 years but not more than
3 30 years and shall pay a fine of not less than \$100,000.00 nor more than \$250,000.00.”
4 To strike subsection (f) of Code Section 16-13-32.6 to insert in lieu thereof a new subsection
5 (f) to read as follows:

6 **SECTION 1A.**

7 (f) The General Assembly hereby adopts and incorporates into this Code section all drug-free
8 commercial zones which have been adopted by municipal or county ordinance and entered
9 in the register of the Department of Community Affairs as provided for in subsection (d) of
10 this Code section on or before March ~~22, 1999~~ 10, 2004.

11 **SECTION 2.**

12 All laws and parts of laws in conflict with this Act are repealed.