

LD1203739

SENATE BILL NO. 529

Offered January 25, 1994

A BILL to amend and reenact § 18.2-248.01 of the Code of Virginia, relating to transporting controlled substances into the Commonwealth.

Patrons—Stolle, Barry, Calhoun, Chichester, Earley, Robb, Stosch and Trumbo

Referred to the Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-248.01 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-248.01. Transporting controlled substances into the Commonwealth; penalty.

A. Except as authorized in the Drug Control Act (§ 54.1-3400 et seq.) it is unlawful for any person to transport by any means (i) one ounce or more *but less than four ounces* ~~or more~~ of cocaine, coca leaves or any salt, compound, derivative or preparation thereof as described in Schedule II of the Drug Control Act or any other Schedule I or II controlled substance or (ii) five or more pounds *but less than 100 pounds* of marijuana into the Commonwealth with intent to sell or distribute such substance. A violation of this section shall constitute a separate and distinct felony. Upon conviction, the person shall be sentenced to not less than five years nor more than forty years imprisonment, and a fine not to exceed \$500,000.

B. *Except as authorized in the Drug Control Act (§ 54.1-3400 et seq.) it is unlawful for any person to transport by any means four ounces or more of cocaine, coca leaves or any salt, compound, derivative or preparation thereof as described in Schedule II of the Drug Control Act or any other Schedule I or II controlled substance or 100 or more pounds of marijuana into the Commonwealth with intent to sell or distribute such substance. A violation of this section shall constitute a separate and distinct felony. Upon conviction, the person shall be sentenced to not less than ten years nor more than fifty years imprisonment and a fine not to exceed \$500,000. Ten years of such sentence shall be a minimum, mandatory sentence which shall be served with no suspension in whole or in part. No person convicted under this subsection shall be eligible for probation, parole or good conduct allowances.*

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$ 250,000.

INTRODUCED

SB529