

Article 27 - Crimes and Punishments

286A.

(a) (1) A person who brings into this State any of the following controlled dangerous substances which it is unlawful for that person to possess, in the amounts indicated, upon conviction, is subject to the penalty provided in ~~subsection (b)~~ SUBSECTION (B)(1) of this section:

- (1) (I) [100] ~~10 pounds~~ 45 KILOGRAMS or greater of marijuana;
- (2) (II) 28 grams or greater of cocaine or any mixture containing 28 grams or greater of cocaine;
- (3) (III) 4 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
- (4) (IV) 1,000 dosage units of lysergic acid diethylamide or any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;
- (5) (V) 28 grams or more of phencyclidine in liquid or powder form or 112 grams or more of any mixture containing phencyclidine;
- (6) (VI) 1,000 dosage units or more of methaqualone;
- (7) (VII) 28 grams or more of methamphetamine or any mixture containing 28 grams or more of methamphetamine; or
- (8) (VIII) 4 grams or more of fentanyl or a fentanyl analogue.

(2) A PERSON WHO BRINGS INTO THIS STATE MARIJUANA IN THE AMOUNT OF MORE THAN 5 KILOGRAMS BUT LESS THAN 45 KILOGRAMS WHICH IT IS UNLAWFUL FOR THAT PERSON TO POSSESS IS SUBJECT TO THE PENALTY PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION.

(b) (1) A person convicted of violating ~~subsection (a)~~ SUBSECTION (A)(1) of this section is guilty of a felony and may be fined not more than \$50,000 or imprisoned for not more than 25 years, or both fined and imprisoned in the discretion of the court.

(2) A PERSON WHO VIOLATES SUBSECTION (A)(2) OF THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 10 YEARS OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect on or application to any criminal action commenced before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved May 8, 1997.