

**Adopted
AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2347

BY: Senator(s) Sparks

1 **AMEND by deleting item 1 on lines 249 through 265 and**
2 **inserting the following in lieu thereof:**

3 1. If one (1) gram or less or five (5) dosage
4 units or less:

5 a. A first offense is punishable by a
6 fine of not more than Two Hundred Fifty Dollars (\$250.00), or not
7 more than thirty (30) days in the county jail, or both. The court
8 shall require the defendant to be assessed as to whether the
9 defendant should participate in a drug treatment program approved
10 by the Department of Mental Health from a department-certified
11 provider unless the court enters a written finding that a drug
12 treatment program is inappropriate;

13 b. A second offense occurring within
14 five (5) years is punishable by a fine of not less than Two



15 Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars
16 (\$1,000.00) and not less than five (5) days nor more than six (6)
17 months in the county jail. The court shall require the defendant
18 to participate in a drug treatment program approved by the
19 Department of Mental Health from a department-certified provider
20 for thirty (30) days with the appropriate level of care to be
21 recommended by the certified provider unless the court enters a
22 written finding that a drug treatment program is inappropriate; or
23 c. A third or subsequent offense
24 occurring within five (5) years shall be a felony punishable by
25 imprisonment in the custody of the Department of Corrections for
26 not more than five (5) years or a fine of not more than Fifty
27 Thousand Dollars (\$50,000.00), or both.

28 **FURTHER, AMEND on line 283 by deleting "2027" and inserting**
29 **in lieu thereof "2029"**

30 **FURTHER, AMEND on line 439 by deleting "2022" and inserting**
31 **in lieu thereof "2025".**

32 **FURTHER, AMEND the title to conform.**

