

By Mrs. Hicks, petition (accompanied by bill, Senate, No. 170) of Lucile P. Hicks for legislation to reduce the amount of marijuana necessary to be charged with the crime of trafficking. Criminal Justice.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Ninety-Three.

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AN ACT REDUCING THE MARIJUANA TRAFFICKING LEVEL TO 25 POUNDS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Paragraph (a) of section 32E of chapter 94C of the General  
2 Laws, as appearing in the 1990 Official Edition, is hereby amended  
3 by striking out subsections (1) through (4) and inserting in place  
4 thereof the following subsections: —

5 (1) Twenty-five pounds or more, but less than forty pounds,  
6 be punished by a term of imprisonment in the state prison for not  
7 less than three nor more than fifteen years. No sentence imposed  
8 under the provisions of this section shall be for less than a  
9 mandatory minimum term of imprisonment of three years and a  
10 fine of not less than one thousand nor more than ten thousand  
11 dollars may be imposed but not in lieu of the mandatory minimum  
12 three-year term of imprisonment, as established herein.

13 (2) Forty pounds or more, but less than fifty-five pounds, be  
14 punished by a term of imprisonment in the state prison for not  
15 less than five nor more than fifteen years. No sentence imposed  
16 under the provisions of this section shall be for less than a  
17 mandatory minimum term of imprisonment of five years and a  
18 fine of not less than two thousand and five hundred nor more than  
19 twenty-five thousand dollars may be imposed but not in lieu of  
20 the mandatory minimum term of imprisonment, as established  
21 herein.

22 (3) Fifty-five pounds or more, but less than one hundred  
23 pounds, be punished by a term of imprisonment in the state prison  
24 for not less than seven nor more than fifteen years. No sentence

25 imposed under the provisions of this section shall be for less than  
26 a mandatory minimum term of imprisonment of seven years and  
27 a fine of not less than five thousand nor more than fifty thousand  
28 dollars may be imposed but not in lieu of the mandatory minimum  
29 term of imprisonment, as established herein.

30 (4) One hundred pounds or more, but less than two thousand  
31 pounds, be punished by a term of imprisonment in the state prison  
32 for not less than ten nor more than fifteen years. No sentence  
33 imposed under the provisions of this section shall be for less than  
34 a mandatory minimum term of imprisonment of ten years and  
35 a fine of not less than ten thousand nor more than one hundred  
36 thousand dollars may be imposed but not in lieu of the mandatory  
37 minimum term of imprisonment, as established herein.

38 (5) Two thousand pounds or more, be punished by a term of  
39 imprisonment in the state prison for not less than twelve nor more  
40 than fifteen years. No sentence imposed under the provisions of  
41 this section shall be for less than a mandatory minimum term of  
42 imprisonment of twelve years and a fine of not less than twenty  
43 thousand nor more than two hundred thousand dollars may be  
44 imposed but not in lieu of the mandatory minimum term of  
45 imprisonment, as established herein.