AN ACT relating to crimes; removing the minimum quantity of a controlled substance or other related substance required to constitute certain crimes of trafficking in those substances or required for the imposition of a civil penalty for such a crime; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Section 1 of this bill removes the minimum quantity of flunitrazepam or gamma-hydroxybutyrate or their precursors or a schedule I controlled substance other than marijuana required for conviction of trafficking in controlled substances. (NRS 453.3385) Likewise, section 2 of this bill removes the minimum quantity of a schedule I controlled substance other than marijuana required for the imposition of a civil penalty for trafficking in controlled substances. (NRS 453.5531)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 453.3385 is hereby amended to read as follows:

453.3385 Except as otherwise authorized by the provisions of NRS 453.011 to 453.552, inclusive, a person who knowingly or intentionally sells, manufactures, delivers or brings into this State or who is knowingly or intentionally in actual or constructive possession of flunitrazepam, gamma-hydroxybutyrate, any substance for which flunitrazepam or gamma-hydroxybutyrate is an
immediate precursor or any controlled substance which is listed in
schedule I, except marijuana, or any mixture which contains any
such controlled substance, shall be punished, unless a greater
penalty is provided pursuant to NRS 453.322, if the quantity
involved:
1. Is [less than 14 grams] grams or more, but
   less than 14 grams, for a category
   B felony by imprisonment in the state prison for a minimum term of
   not less than 1 year and a maximum term of not more than 6 years
   and by a fine of not more than $50,000.
2. Is 14 grams or more, but less than 28 grams, for a category
   B felony by imprisonment in the state prison for a minimum term of
   not less than 2 years and a maximum term of not more than 15 years
   and by a fine of not more than $100,000.
3. Is 28 grams or more, for a category A felony by
   imprisonment in the state prison:
   (a) For life with the possibility of parole, with eligibility for
       parole beginning when a minimum of 10 years has been served; or
   (b) For a definite term of 25 years, with eligibility for parole
       beginning when a minimum of 10 years has been served,
       and by a fine of not more than $500,000.
Sec. 2. NRS 453.5531 is hereby amended to read as follows:
453.5531 1. The State of Nevada is entitled, in a civil action
brought pursuant to NRS 453.553 involving marijuana, to a civil
penalty in an amount:
   (a) Not to exceed $350,000, if the quantity involved is 100
       pounds or more, but less than 2,000 pounds.
   (b) Not to exceed $700,000, if the quantity involved is 2,000
       pounds or more, but less than 10,000 pounds.
   (c) Not to exceed $1,000,000, if the quantity involved is 10,000
       pounds or more.
2. The State of Nevada is entitled, in a civil action brought
pursuant to NRS 453.553 involving a controlled substance, except
marijuana, which is listed in schedule I or a substitute therefor, to a
civil penalty in an amount:
   (a) Not to exceed $350,000, if the quantity involved is [less than 14 grams]
       grams or more, but
   (b) Not to exceed $700,000, if the quantity involved is 14 grams
       or more, but less than 28 grams.
   (c) Not to exceed $1,000,000, if the quantity involved is 28
       grams or more.
3. The State of Nevada is entitled, in a civil action brought
pursuant to NRS 453.553 involving a controlled substance which is
listed in schedule II or III or a substitute therefor, to a civil penalty
in an amount:
(a) Not to exceed $350,000, if the quantity involved is 28 grams or more, but less than 200 grams.

(b) Not to exceed $700,000, if the quantity involved is 200 grams or more, but less than 400 grams.

(c) Not to exceed $1,000,000, if the quantity involved is 400 grams or more.

4. Unless a greater civil penalty is authorized by another provision of this section, the State of Nevada is entitled, in a civil action brought pursuant to NRS 453.553 involving any act or transaction in violation of the provisions of NRS 453.3611 to 453.3648, inclusive, to a civil penalty in an amount not to exceed $350,000.