

HOUSE BILL ANALYSIS

SSB 5305

Title: An act relating to controlling drugs used to facilitate rape.

Brief Description: Controlling drugs used to facilitate rape.

Sponsors: Senators Fairley, Wojahn, Goings, McAuliffe, Patterson and Kohl.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Staff: Yvonne Walker (786-7841)

Background: Flunitrazepam, brand named Rohypnol, is a potent tranquilizer which produces a sedative effect, amnesia, muscle relaxation, and a slowing of psychomotor responses. Sedation occurs 20 to 30 minutes after administration and lasts for several hours. Illicit use of the drug in the United States has reportedly been on the increase since the early 1990s. Particular concern has been expressed over the use of the drug to sedate women prior to raping them.

Under the state Uniform Controlled Substances Act, the degree of control exercised over a controlled substance is dependent on the potential for abuse and the degree of psychic or physical dependency which may be caused by the substance. Substances are placed in five schedules to reflect the amount of control necessary, with schedule I being the most controlled, and schedule V being the least controlled. The penalty for violations involving a controlled substance varies depending on the schedule on which the substance is placed.

Flunitrazepam is currently listed as a schedule IV substance under the state Uniform Controlled Substances Act.

In 1996, several actions were taken at the federal level, including the passage of legislation, to restrict and more severely penalize the illicit use of Flunitrazepam.

Summary: The criminal penalties for unlawful acts involving Flunitrazepam are made the same as the current penalties for unlawful acts involving controlled substances classified under schedule II that are narcotics.

Require the Exercise of Rule- Making Powers: No.

Fiscal Note: Received on March 28, 1997.

Effective Date: Ninety days after adjournment of session in which bill is passed.