

# SENATE BILL REPORT

## SSB 6182

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As Passed Senate, February 5, 1996

**Title:** An act relating to manufacture, delivering, or possession of methamphetamine.

**Brief Description:** Increasing penalties for crimes involving methamphetamine.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Owen, Prentice, Smith, Goings, Winsley, Schow and Oke).

**Brief History:**

**Committee Activity:** Law & Justice: 1/18/96, 1/24/96 [DPS].  
Passed Senate, 2/5/96, 48-0.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** That Substitute Senate Bill No. 6182 be substituted therefor, and the substitute bill do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Hargrove, Haugen, Johnson, Long, McCaslin, Roach and Schow.

**Staff:** Susan Carlson (786-7418)

**Background:** Methamphetamine is a Schedule II controlled substance. Although relatively easy to manufacture, methamphetamine laboratories are extremely dangerous because of the toxic and potentially explosive nature of the chemicals used. Ephedrine is the primary precursor ingredient for the most common methamphetamine production method. The sale of ephedrine is required to be reported to the state Board of Pharmacy, but it is also readily available from out-of-state vitamin and drug wholesalers.

Under current law, manufacture, delivery and possession with intent to manufacture or deliver methamphetamine is a class C felony. This crime is ranked at seriousness level VIII, the same as manufacture, delivery or possession with intent to deliver heroin or cocaine, which is a class B felony.

Law enforcement is concerned that the use and manufacture of methamphetamine is increasing. It has been suggested that the crime should be increased to a class B felony and that possession of ephedrine with intent to manufacture methamphetamine should be a crime.

**Summary of Bill:** Possession of ephedrine with intent to manufacture methamphetamine is a crime punishable by imprisonment for not more than ten years, a fine of up to \$25,000, or both. The crime is ranked at seriousness level VIII which specifies a 21-27 month standard sentence range for an offender with no prior felony convictions.

The crime of manufacturing, delivering, or possessing with intent to manufacture or deliver methamphetamine is increased from a class C felony to a class B felony. The crime of

creating, delivering, or possessing counterfeit methamphetamine is also increased from a class C to a class B felony.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The use and manufacture of methamphetamine has been increasing in Washington. The bill will assist law enforcement efforts to apprehend persons who manufacture the drug.

**Testimony Against:** None.

**Testified:** PRO: Senator Owen, prime sponsor; Hank Corscadden, King Co. prosecuting attorney's office; Marsh Pugh, WA State Patrol; Dale Mann, WSP crime lab.