
HOUSE BILL 2628

State of Washington 59th Legislature 2006 Regular Session

By Representatives Campbell, Kirby, McCune and Conway

Read first time 01/11/2006. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to drug trafficking; adding a new section to
2 chapter 69.50 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 69.50 RCW
5 to read as follows:

6 (1) A person is guilty of drug trafficking if he or she transfers
7 drugs that are in violation of this chapter across state lines or out
8 of the United States and as a result he or she:

9 (a) Knowingly or intentionally imports or exports a controlled
10 substance in violation of this chapter;

11 (b) Knowingly or intentionally brings or possesses on board a
12 vessel, aircraft, or vehicle a controlled substance in violation of
13 this chapter; or

14 (c) Manufactures, possesses with intent to deliver, or delivers a
15 controlled substance in violation this chapter.

16 (2) Notwithstanding any other provision of law, a person convicted
17 of a violation of subsection (1) of this section shall be sentenced to
18 a term of total confinement of not less than one hundred twenty months,

1 or two hundred forty months if the case involves death or serious
2 bodily injury as a result from the use of such substance, if the
3 offense involves:

4 (a) One kilogram or more of a mixture or substance containing a
5 detectable amount of heroin;

6 (b) Five kilograms or more of a mixture or substance containing a
7 detectable amount of:

8 (i) Coca leaves, except coca leaves and extracts of coca leaves
9 from which cocaine, ecgonine, and derivatives of ecgonine or their
10 salts have been removed;

11 (ii) Cocaine, its salts, optical and geometric isomers, and salts
12 or isomers;

13 (iii) Ecgonine, its derivatives, their salts, isomers, and salts of
14 isomers; or

15 (iv) Any compound, mixture, or preparation which contains any
16 quantity of any of the substances referred to in (b)(i) through (iii)
17 of this subsection;

18 (c) Fifty grams or more of a mixture or substance described in (b)
19 of this subsection which contains cocaine base;

20 (d) One hundred grams or more of phencyclidine (PCP) or one
21 kilogram or more of a mixture or substance containing a detectable
22 amount of phencyclidine (PCP);

23 (e) Ten grams or more of a mixture or substance containing a
24 detectable amount of lysergic acid diethylamide;

25 (f) Four hundred grams or more of a mixture or substance containing
26 a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
27 propanamide or one hundred grams or more of a mixture or substance
28 containing a detectable amount of any analogue of N-phenyl-N-[1-(2-
29 phenylethyl)-4-piperidinyl] propanamide;

30 (g) One thousand kilograms or more of a mixture or substance
31 containing a detectable amount of marihuana; or

32 (h) Fifty grams or more of methamphetamine, its salts, isomers, and
33 salts of its isomers, or five hundred grams or more of a mixture or
34 substance containing a detectable amount of methamphetamine, its salts,
35 isomers, or salts of its isomers.

36 (3) Notwithstanding any other provision of law, for an offender
37 with one prior conviction for an offense under subsection (2) of this

1 section, such person shall be sentenced to a term of total confinement
2 of not less than two hundred forty months, or life imprisonment if
3 death or serious bodily injury results from the use of such substance.

4 (4) All mandatory minimum terms of total confinement provided in
5 this section shall be in addition to all other financial penalties or
6 fines provided by law.

7 (5) A minimum term of total confinement imposed under this section
8 may not be varied or modified under RCW 9.94A.535.

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