

2025 -- H 5938

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT --  
OFFENSES AND PENALTIES

Introduced By: Representatives Hopkins, Place, Roberts, J. Brien, Bennett, Perez,  
Corvese, and Chippendale

Date Introduced: February 28, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 21-28-4.1.1 and 21-28-4.1.2 of the General Laws in Chapter 21-28  
2 entitled "Uniform Controlled Substances Act" are hereby amended to read as follows:

3 **21-28-4.01.1. Certain quantities of controlled substances.**

4 (a) Except as authorized by this chapter, it shall be unlawful for any person to manufacture,  
5 sell, or possess with intent to manufacture or sell, a controlled substance classified in schedule I or  
6 II (excluding marijuana) or to possess or deliver the following enumerated quantities of certain  
7 controlled substances:

8 (1) One ounce (1 oz.) to one kilogram (1 kg.) of a mixture or substance containing a  
9 detectable amount of heroin;

10 (2) One ounce (1 oz.) to one kilogram (1 kg.) of a mixture or substance containing a  
11 detectable amount of:

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

14 (ii) Cocaine, its salts, optical and geometric isomers, and salts of isomers;

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

16 (iv) Any compound, mixture, or preparation that contains any quantity of any of the  
17 substances referred to in paragraphs (i) — (iii) of this subdivision;

18 (3) One gram (1 g.) to ten grams (10 gs.) of phencyclidine (PCP) or one hundred (100) to

1 one thousand (1,000) tablets of a mixture or substance containing a detectable amount of  
2 phencyclidine (PCP);

3 (4) One-tenth of a gram (0.1 g.) to one gram (1 g.) of lysergic acid diethylamide (LSD) or  
4 one hundred (100) to one thousand (1,000) tablets of a mixture or substance containing a detectable  
5 amount of lysergic acid diethylamide (LSD);

6 (5) One kilogram (1 kg.) to five kilograms (5 kgs.) of a mixture containing a detectable  
7 amount of marijuana;

8 (6) One ounce (1 oz.) to one kilogram (1 kg.) of a mixture or substance containing a  
9 detectable amount of synthetic drugs; or

10 (7) One ounce (1 oz.) to one kilogram (1 kg.) of a mixture or substance containing a  
11 ~~detectable amount~~ at least ten percent (10%) of fentanyl or its analogs, including, but not limited  
12 to: N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its optical, positional, and geometric  
13 isomers, salts, and salts of isomers (acetyl fentanyl); N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-  
14 2carboxamide (furanfentanyl); and N-Phenethyl-4-piperidinone (4-AN-PP); or

15 (8) One ounce (1 oz.) to one kilogram (1 kg.) of a mixture or substance containing a  
16 detectable amount of carfentanil; or

17 (9) One ounce (1 oz.) to one kilogram (1 kg.) of 3,4-methyl-enedioxymethamphetamine  
18 (MDMA), its optical, positional, and geometric isomers, salts, and salts of isomers; or

19 (10) One ounce (1 oz.) to one kilogram (1 kg.) of amphetamine, its salts, optical isomers,  
20 and salts of its optical isomers; or

21 (11) One ounce (1 oz.) to one kilogram (1 kg.) of methamphetamine, its salts, and salts of  
22 its isomers.

23 (b) Any person who violates this section shall be guilty of a crime, and upon conviction,  
24 may be imprisoned for a term up to fifty (50) years and fined not more than five hundred thousand  
25 dollars (\$500,000).

26 **21-28-4.01.2. Certain quantities of controlled substances.**

27 (a) Except as authorized by the chapter, it shall be unlawful for any person to possess,  
28 manufacture, sell, or deliver the following enumerated quantities of certain controlled substances:

29 (1) More than one kilogram (1 kg.) of a mixture or substance containing a detectable  
30 amount of heroin;

31 (2) More than one kilogram (1 kg.) of a mixture or substance containing a detectable  
32 amount of:

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

- 1 (ii) Cocaine, its salts, optical and geometric isomers, and salts of isomers;
- 2 (iii) Ecgonine, its derivatives, their salts, isomers, and salts of isomers; or
- 3 (iv) Any compound, mixture, or preparation that contains any quantity of any of the
- 4 substances referred to in paragraphs (i) — (iii) of this subdivision;
- 5 (3) More than ten grams (10 gs.) of phencyclidine (PCP) or more than one thousand (1,000)
- 6 tablets of a mixture or substance containing a detectable amount of phencyclidine (PCP);
- 7 (4) More than one gram (1 g.) of lysergic acid diethylamide (LSD); or more than one
- 8 thousand (1,000) tablets of a mixture or substance containing a detectable amount of lysergic acid
- 9 diethylamide (LSD);
- 10 (5) More than five kilograms (5 kgs.) of a mixture containing a detectable amount of
- 11 marijuana;
- 12 (6) More than one kilogram (1 kg.) of a mixture or substance containing a detectable
- 13 amount of synthetic drugs; or
- 14 (7) More than one kilogram (1 kg.) of a mixture or substance containing ~~a detectable~~
- 15 ~~amount~~ at least ten percent (10%) of fentanyl or its analogs, including, but not limited to: N-(1-
- 16 phenethylpiperidin-4-yl)-N-phenylacetamide, its optical, positional, and geometric isomers, salts,
- 17 and salts of isomers (acetyl fentanyl); N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2carboxamide
- 18 (furanlyl fentanyl); and N-Phenethyl-4-piperidinone (4-AN-PP); or
- 19 (8) More than one kilogram (1 kg.) of a mixture or substance containing a detectable
- 20 amount of carfentanil; or
- 21 (9) More than one kilogram (1 kg.) of 3,4-methyl-enedioxymethamphetamine (MDMA),
- 22 its optical, positional, and geometric isomers, salts, and salts of isomers; or
- 23 (10) More than one kilogram (1 kg.) of amphetamine, its salts, optical isomers, and salts of
- 24 its optical isomers; or
- 25 (11) More than one kilogram (1 kg.) of methamphetamine, its salts, and salts of its isomers.
- 26 (b) Any person who violates this section shall be guilty of a crime, and upon conviction,
- 27 may be imprisoned for a term up to life and fined not more than one million dollars (\$1,000,000).

28 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT --  
OFFENSES AND PENALTIES

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1           This act would provide that possession of one ounce (1 oz.) to one kilogram (1 kg.) of a  
2 mixture or substance containing at least ten percent (10%) of fentanyl or its analogs would be  
3 punishable by up to fifty years imprisonment and possession of more than one kilogram (1 kg.) of  
4 a mixture or substance containing at least ten percent (10%) of fentanyl or its analogs would be  
5 punishable by up to life imprisonment.

6           This act would take effect upon passage.

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