

218A.1411 Trafficking in controlled substance in or near school -- Exception for certain misdemeanor offenses -- Penalty.

- (1) Any person who unlawfully traffics in a controlled substance classified in Schedules I, II, III, IV or V, or a controlled substance analogue in any building used primarily for classroom instruction in a school or on any premises located within one thousand (1,000) feet of any school building used primarily for classroom instruction shall be guilty of a Class D felony, unless a more severe penalty is set forth in this chapter, in which case the higher penalty shall apply. The measurement shall be taken in a straight line from the nearest wall of the school to the place of violation.
- (2) The provisions of subsection (1) of this section shall not apply to any misdemeanor offense relating to naphthylpyrovalerone, 3,4-methylenedioxypyrovalerone, 3,4-methylenedioxymethylcathinone, 4-methylmethcathinone, synthetic cannabinoid agonists, piperazines, or salvia.

Effective: June 8, 2011

History: Amended 2011 Ky. Acts ch. 2, sec. 8, effective June 8, 2011; and ch. 45, sec. 8, effective March 16, 2011.-- Amended 2010 Ky. Acts ch. 149, sec. 9, effective April 13, 2010; and ch. 160, sec. 9, effective April 26, 2010. -- Created 1992 Ky. Acts ch. 441, sec. 11, effective July 14, 1992.

Legislative Research Commission Note (6/8/2011). This section was amended by 2011 Ky. Acts chs. 2 and 45, which do not appear to be in conflict and have been codified together.