

**218A.1412 Trafficking in controlled substance in first degree -- Penalties.**

- (1) A person is guilty of trafficking in a controlled substance in the first degree when he or she knowingly and unlawfully traffics in:
  - (a) Four (4) grams or more of cocaine;
  - (b) Two (2) grams or more of heroin or methamphetamine;
  - (c) Ten (10) or more dosage units of a controlled substance that is classified in Schedules I or II and is a narcotic drug, or a controlled substance analogue;
  - (d) Any quantity of lysergic acid diethylamide; phencyclidine; gamma hydroxybutyric acid (GHB), including its salts, isomers, salts of isomers, and analogues; or flunitrazepam, including its salts, isomers, and salts of isomers; or
  - (e) Any quantity of a controlled substance specified in paragraph (a), (b), or (c) of this subsection in an amount less than the amounts specified in those paragraphs.
- (2) The amounts specified in subsection (1) of this section may occur in a single transaction or may occur in a series of transactions over a period of time not to exceed ninety (90) days that cumulatively result in the quantities specified in this section.
- (3)
  - (a) Except as provided in paragraph (b) of this subsection, any person who violates the provisions of this section shall be guilty of a Class C felony for the first offense and a Class B felony for a second or subsequent offense.
  - (b) Any person who violates the provisions of subsection (1)(e) of this section shall be guilty of a Class D felony for the first offense and a Class C felony for a second offense or subsequent offense.

**Effective:** June 8, 2011

**History:** Amended 2011 Ky. Acts ch. 2, sec. 9, effective June 8, 2011. -- Amended 2002 Ky. Acts ch. 259, sec. 1, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 169, sec. 1, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 606, sec. 63, effective July 15, 1998. -- Created 1992 Ky. Acts ch. 441, sec. 12, effective July 14, 1992.