

218A.142 Aggravated trafficking in controlled substance in first degree.

- (1) A person is guilty of aggravated trafficking in a controlled substance in the first degree when he or she knowingly and unlawfully traffics in:
 - (a) One hundred (100) grams or more of heroin;
 - (b) Twenty-eight (28) grams or more of fentanyl; or
 - (c) Ten (10) grams or more of carfentanil or fentanyl derivatives.
- (2) Aggravated trafficking in a controlled substance in the first degree is a Class B felony, and:
 - (a) The defendant shall not be released on probation, shock probation, conditional discharge, or parole until he or she has served at least fifty percent (50%) of the sentence imposed where the trafficked substance was heroin; or
 - (b) The defendant shall not be eligible for pretrial diversion, and shall not be released on probation, shock probation, conditional discharge, or parole until he or she has served at least eighty-five percent (85%) of the sentence imposed where the trafficked substance was fentanyl, carfentanil, or fentanyl derivatives.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 130, sec. 2, effective July 14, 2022. -- Amended 2017 Ky. Acts ch. 168, sec. 6, effective June 29, 2017. -- Created 2015 Ky. Acts ch. 66, sec. 15, effective March 25, 2015.

Legislative Research Commission Note (7/14/2022). 2022 Ky. Acts ch. 130, sec. 3, provides that the Act, which amended this statute, shall be known as Dalton's Law.