

1 AN ACT relating to crimes and punishments.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 218A.1410 is amended to read as follows:

4 (1) A person is guilty of importing heroin, carfentanil, fentanyl, or fentanyl derivatives  
5 when he or she knowingly and unlawfully transports any quantity of heroin,  
6 carfentanil, fentanyl, or fentanyl derivatives into the Commonwealth by any means  
7 with the intent to sell or distribute the heroin, carfentanil, fentanyl, or fentanyl  
8 derivatives.

9 (2) The provisions of this section are intended to be a separate offense from others in  
10 this chapter, and shall be punished in addition to violations of this chapter occurring  
11 during the same course of conduct.

12 (3) **(a)** Importing heroin~~[, carfentanil, fentanyl, or fentanyl derivatives]~~ is a Class C  
13 felony, and the defendant shall not be released on probation, shock probation,  
14 conditional discharge, or parole until he or she has served at least fifty percent  
15 (50%) of the sentence imposed.

16 **(b) Importing carfentanil, fentanyl, or fentanyl derivatives is a Class C felony,**  
17 **and the defendant:**

18 **1. Shall not be eligible for pretrial diversion; and**

19 **2. Shall not be released on probation, shock probation, conditional**  
20 **discharge, or parole until he or she has served at least eighty-five**  
21 **percent (85%) of the sentence imposed.**

22 ➔Section 2. KRS 218A.142 is amended to read as follows:

23 (1) A person is guilty of aggravated trafficking in a controlled substance in the first  
24 degree when he or she knowingly and unlawfully traffics in:

25 (a) One hundred (100) grams or more of heroin;

26 (b) Twenty-eight (28) grams or more of fentanyl; or

27 (c) Ten (10) grams or more of carfentanil or fentanyl derivatives.

1 (2) Aggravated trafficking in a controlled substance in the first degree is a Class B  
2 felony, and:

3 (a) The defendant shall not be released on probation, shock probation, conditional  
4 discharge, or parole until he or she has served at least fifty percent (50%) of  
5 the sentence imposed where the trafficked substance was heroin; or

6 (b) The defendant shall not be eligible for pretrial diversion, and shall not be  
7 released on probation, shock probation, conditional discharge, or parole  
8 until he or she has served at least eighty-five percent (85%) of the sentence  
9 imposed where the trafficked substance was fentanyl, carfentanil, or  
10 fentanyl derivatives.

11 ➔Section 3. This Act shall be known as Dalton's Law.