

SENTENCING RANGE- DRUG OFFENSES

| Categories→ | A | B | C | D | E | F | G | H | I |
|---------------------|------------------------|----------------------|-------------------------------------|--------------------|---------------------------|-------------------------|-----------------------|---------------------|----------------------------|
| Severity Level ↓ | 3 + Person Felonies | 2 Person Felonies | 1 Person & 1 Nonperson Felony | 1 Person Felony | 3 + Nonperson Felonies | 2 Nonperson Felonies | 1 Nonperson Felony | 2 + Misdemeanors | 1 Misdemeanor No Record |
| I | 204 194 185 | 196 186 176 | 187 178 169 | 179 170 161 | 170 162 154 | 167 158 150 | 162 154 146 | 161 150 142 | 154 146 138 |
| II | 144 136 130 | 137 130 122 | 130 123 117 | 124 117 111 | 116 111 105 | 113 108 101 | 110 104 99 | 108 100 96 | 103 98 92 |
| III | 83 78 74 | 77 73 68 | 72 68 65 | 68 64 60 | 62 59 55 | 59 56 52 | 57 54 51 | 54 51 49 | 51 49 46 |
| IV | 51 49 46 | 47 44 41 | 42 40 37 | 36 34 32 | 32 30 28 | 26 24 23 | 23 22 20 | 19 18 17 | 16 15 14 |
| V | 42 40 37 | 36 34 32 | 32 30 28 | 26 24 23 | 22 20 18 | 18 17 16 | 16 15 14 | 14 13 12 | 12 11 10 |

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|--------------------------|
| Presumptive Probation |
| Border Box |
| Presumptive Imprisonment |

•Fines not to exceed \$500,000 (SL1-SL2), \$300,000 (SL3-SL4), \$100,000 (SL5)

•Severity level of offense increases one level if controlled substance or analog is distributed or possessed w/ intent to distribute on or w/in 1000 ft of any school property.

| Levels | Distribute or Possess w/ intent to Distribute | | | Manufacture (all) | Cultivate | Dosage Units | Postrelease | Probation | Good Time |
|--------|---|---------------|---------------------------|----------------------|--------------|--------------|-------------|-----------|-----------|
| | Cocaine | Meth & Heroin | Marijuana | | | | | | |
| I | ≥ 1 kg | ≥ 100 g | ≥ 30 kg | 2nd or Meth | >100 plants | >1000 | 36 | 36 | 15% |
| II | 100 g - 1 kg | 3.5 g - 100 g | 450 g - 30 kg | 1st | 50-99 plants | 100-999 | 36 | 36 | 15% |
| III | 3.5 g - 100 g | 1 g - 3.5 g | 25 g - 450 g | | 5-49 plants | 10-99 | 36 | 36 | **20% |
| IV | < 3.5 g | < 1 g | < 25 g | | | <10 | 24 | ≤ 18 | 20% |
| V | Possession | Possession | Possession-3rd offense | | | | 12 | *≤12 | 20% |

* ≤ 18 months for 2003 SB123 offenders

*** Retroactive application for offense committed on or after July 1, 2012