

218A.1414 Trafficking in controlled substance in third degree -- Penalties.

- (1) A person is guilty of trafficking in a controlled substance in the third degree when he or she knowingly and unlawfully traffics in:
 - (a) Twenty (20) or more dosage units of a controlled substance classified in Schedules IV or V; or
 - (b) Any quantity of a controlled substance specified in paragraph (a) of this subsection in an amount less than the amount specified in that paragraph.
- (2)
 - (a) Any person who violates the provisions of subsection (1)(a) of this section shall be guilty of a Class A misdemeanor for the first offense and a Class D felony for a second or subsequent offense.
 - (b) Any person who violates the provisions of subsection (1)(b) of this section shall be guilty of:
 1. A Class A misdemeanor for the first offense, subject to the imposition of presumptive probation; and
 2. A Class D felony for a second or subsequent offense, except that KRS Chapter 532 to the contrary notwithstanding, the maximum sentence to be imposed shall be no greater than three (3) years.

Effective: June 8, 2011

History: Amended 2011 Ky. Acts ch. 2, sec. 11, effective June 8, 2011. -- Created 1992 Ky. Acts ch. 441, sec. 14, effective July 14, 1992.