

ARIZONA STATE SENATE

RESEARCH STAFF



TO: MEMBERS OF THE SENATE
JUDICIARY COMMITTEE

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DATE: March 8, 2022

SUBJECT: Strike everything amendment to H.B. 2253, relating to threshold amount; fentanyl

Purpose

Establishes a statutory drug threshold amount of nine grams for fentanyl.

Background

A person who is convicted of a first or second offense for personal possession or use of a controlled substance or drug paraphernalia is eligible for probation, rather than a term of imprisonment, with certain exceptions ([A.R.S. § 13-901.01](#)). When determining sentencing for drug offenses that are not eligible for probation, a person may be subject to longer sentencing ranges and may not be eligible for suspension of the sentence if the amount of drugs involved in the offense exceeds statutory thresholds ([A.R.S. § 13-3419](#)).

Threshold amount means a weight, market value or other form of measurement of an unlawful substance as follows: 1) one gram of heroin; 2) nine grams of cocaine; 3) 750 milligrams of cocaine base or hydrolyzed cocaine; 4) 4 grams or 50 milliliters of PCP; 5) nine grams of methamphetamine, including methamphetamine in liquid suspension; 6) 9 grams of amphetamine, including amphetamine in liquid suspension; 7) 0.5 milliliter of lysergic acid diethylamide or 50 blotter dosage units; or 8) two pounds of marijuana. For any unlawful substance not listed, the threshold amount is a value of at least \$1,000 ([A.R.S. § 13-3401](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Establishes a statutory drug threshold amount of nine grams for fentanyl.
2. Makes conforming changes.
3. Becomes effective on the general effective date.