

## MISSOURI DRUG SENTENCING LAWS

### Felony Sentencing Classifications

Class A: 10-30 years

Class B: 5-15 years

Class C: 3-10 years

Class D: Up to 7 years

Class E: Up to 4 years

Persistent Offenders: Have been found guilty of 2 or more felonies committed at different times; may be sentenced one felony class level higher. (558.016)

STATUTE	DRUG AMOUNT	FELONY CLASS	SENTENCE
<b>579.015 – Possession</b>	Any controlled substance except 35 grams or less of marijuana	Class D	Up to 7 years; 3-10 years for persistent offenders
<b>579.02 – Delivery</b>	Any controlled substance other than 35 grams or less of marijuana	Class C	3-10 years; 5-15 years for persistent offenders
	35 grams or less of marijuana or synthetic cannabinoid	Class E	Up to 4 years; up to 7 years
	35 grams or less of marijuana to a person under age 17 who is at least 2 years younger than the defendant	Class C	3-10 years; 5-15 years for persistent offenders
	Delivery of a controlled substance other than 35 grams or less of marijuana to a person under age 17 who is at least two years younger than the defendant OR knowingly permitting a minor to purchase or transport illegally obtained controlled substances	Class B	5-15 years; 10-30 years for persistent offenders
<b>579.03 – Distribution or sale in a protected location</b>	Any controlled substance except for 35 grams or less of marijuana 2,000 feet from a public or private, elementary, vocation, or secondary school.	Class A	10-30 years
	Any controlled substance except for 35 grams or less of marijuana within 1,000 feet of a park	Class A	10-30 years
	Any controlled substance except for 35 grams or less of marijuana in or on the real property comprising public housing or other government assisted housing	Class A	10-30 years
<b>579.04 – Delivery of drug paraphernalia</b>	Commercial distribution, delivery, sale, or PWID of drug paraphernalia knowing that it will be used to grow, manufacture, or deliver controlled substances	Class E	Up to 4 years; up to 7 years for persistent offenders

<b>579.045</b>	Fraudulently obtaining a controlled substance	Class E	Up to 4 years; up to 7 years for persistent offenders
<b>579.050</b>	Manufacture of imitation controlled substance	Class E	Up to 4 years; up to 7 years for persistent offenders
<b>579.055 – Manufacture or attempted manufacture of a controlled substance</b>	A controlled substance other than under 35 grams of marijuana or synthetic cannabinoid	Class C	3-10 years; 5 to 15 years for persistent offenders
	Less than 35 grams of marijuana or synthetic cannabinoid	Class E	Up to 4 years; up to 7 years for persistent offenders
	Within 2,000 feet of a public or private, elementary, vocation, or secondary school, community college, college, or university	Class B	5-15 years; 10-30 years for persistent offenders
	If a person suffered serious physical injury or died as a result of a fire or explosion started by the defendant in an attempt to make methamphetamine	Class A	10-30 years
<b>579.065 – Trafficking, 1<sup>st</sup> degree</b>	30-90 grams of heroin	Class B	5-15 years; 10-30 years for persistent offenders
	90+ grams of heroin	Class A	10-30 years
	150-450 grams of cocaine	Class B	5-15 years; 10-30 years for persistent offenders
	450+ grams of cocaine	Class A	10-30 years
	8-24 grams of crack cocaine	Class B	5-15 years; 10-30 years for persistent offenders
	24+ grams of crack cocaine	Class A	10-30 years
	500 milligrams-1 gram of LSD	Class B	5-15 years; 10-30 years for persistent offenders
	1+ gram of LSD	Class A	10-30 years
	30-90 grams of PCP mixture	Class B	5-15 years; 10-30 years for persistent offenders
	90+ grams of PCP mixture	Class A	10-30 years
	4-12 grams of pure PCP	Class B	5-15 years; 10-30 years for persistent offenders
	12+ grams of pure PCP	Class A	10-30 years
	30-100 kg of marijuana	Class B	5-15 years; 10-30 years for persistent offenders
	100+ kg of marijuana	Class A	10-30 years
	30-90 grams of meth or amphetamines	Class B	5-15 years; 10-30 years for persistent offenders

<b>579.065 – Trafficking, 1<sup>st</sup> degree (cont.)</b>	30+ grams of meth or amphetamines within 2,000 feet of a school, college, community college, university, or school bus, public or government-assisted housing, or within a car or in any building which contains rooms used to lodge guests	Class A	10-30 years
	90+ grams of meth or amphetamines	Class A	10-30 years
	30-90 grams of MDMA (ecstasy)	Class B	5-15 years; 10-30 years for persistent offenders
	90+ grams of MDMA (ecstasy)	Class A	10-30 years
	30+ grams of MDMA (ecstasy) within 2,000 feet of a school, college, community college, university, or school bus, public or government-assisted housing, or within a car or in any building which contains rooms used to lodge guests	Class A	10-30 years
<b>579.065 – Trafficking, 2<sup>nd</sup> degree</b>	30-90 grams of heroin	Class C	3-10 years; 5-15 years for persistent offenders
	90+ grams of heroin	Class B	5-15 years; 10-30 years for persistent offenders
	150-450 grams of cocaine	Class C	3-10 years; 5-15 years for persistent offenders
	450+ grams of cocaine	Class B	5-15 years; 10-30 years for persistent offenders
	8-24 grams of crack cocaine	Class C	3-10 years; 5-15 years for persistent offenders
	24+ grams of crack cocaine	Class B	5-15 years; 10-30 years for persistent offenders
	500 milligrams-1 gram of LSD	Class C	3-10 years; 5-15 years for persistent offenders
	1+ gram of LSD	Class B	5-15 years; 10-30 years for persistent offenders
	30-90 grams of PCP mixture	Class C	3-10 years; 5-15 years for persistent offenders
	90+ grams of PCP mixture	Class B	5-15 years; 10-30 years for persistent offenders
	4-12 grams of pure PCP	Class C	3-10 years; 5-15 years for persistent offenders
	12+ grams of pure PCP	Class B	5-15 years; 10-30 years for persistent offenders
	30-100 kg of marijuana	Class C	3-10 years; 5-15 years for persistent offenders
	100+ kg of marijuana	Class B	5-15 years; 10-30 years for persistent offenders
	500+ marijuana plants	Class B	5-15 years; 10-30 years for persistent offenders

<b>579.065 – Trafficking, 2nd degree (cont.)</b>	30-90 grams of meth or amphetamines	Class C	3-10 years; 5-15 years for persistent offenders
	90-450 grams of meth or amphetamines	Class B	5-15 years; 10-30 years for persistent offenders
	450+ grams of meth or amphetamines	Class A	10-30 years
	30-90 grams of MDMA (ecstasy)	Class C	3-10 years; 5-15 years for persistent offenders
	90-450 grams of MDMA (ecstasy)	Class B	5-15 years; 10-30 years for persistent offenders
	450+ grams of MDMA (ecstasy)	Class A	10-30 years
<b>579.070</b>	Creating a danger by setting up a device or weapon to cause injury, while manufacturing drugs	Class C	3-10 years; 5-15 years for persistent offenders
<b>579.072</b>	Furnishing materials to a person manufacturing a controlled substance	Class E	Up to 4 years
<b>579.074(3)</b>	Possessing drug paraphernalia in the manufacture of meth or amphetamines	Class E	Up to 4 years
<b>579.080</b>	Delivery of an imitation controlled substance	Class E	Up to 4 years
<b>579.082</b>	Unlawful marketing of ephedrine or pseudophedrine	Class E	Up to 4 years
<b>579.084</b>	Distribution of controlled substance in violation of registration requirements	Class E	Up to 4 years
<b>579.086</b>	Reckless delivery of a controlled substance	Class E	Up to 4 years