



**Bill Summary: Smarter Sentencing Act of 2021**  
**[S. 1013](#)**

**The Bill:** If passed, the Smarter Sentencing Act would reduce mandatory minimum sentences for drug trafficking and some drug importation offenses. The bill would also apply these changes retroactively, giving people currently in prison an opportunity to receive a new sentence under the reformed law.

**FAMM supports this bill.**

**Introduced By:** Sens. Dick Durbin (D-Ill.), Mike Lee (R-Utah), and eleven other U.S. Senators

**Who it would help:** People currently serving federal sentences for drug trafficking offenses and some drug importation offenses, and people who would face charges and sentences for these offenses in the future.

**Bill status:** *This bill is not yet law.* The bill was introduced in the United States Senate. It must be passed by both the U.S. Senate and the U.S. House of Representatives before it can be signed into law by the President. We do not know if or when this bill could become law.

**What the bill would do:**

**Sentencing Reform**

If passed, the Smarter Sentencing Act would

- Reduce by about half the mandatory penalties for people convicted of drug trafficking (i.e., 5-, 10-, and 15-year sentences would become 2-, 5-, and 10-year sentences);
- Reduce by half or more the mandatory penalties for drug couriers convicted of drug importation (i.e., 5-, 10-, and 20-year sentences would become 2-, 5-, and 10-year sentences);
- Direct the U.S. Sentencing Commission to conform its guidelines with this reform;
- Direct judges to hear motions from people currently serving applicable sentences, and give the judges power to issue new, reduced sentences under the new law.

**Attorney General Reporting**

If passed, the bill would also:

- Require the Attorney General to submit a report on how cost savings from having fewer people in prison can be better invested in other public safety measures;
- Require the Attorney General and federal agencies to submit a report to Congress and create a public database outlining all federal criminal offenses, their potential penalties, and the number of recent prosecutions.