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H.878

Senator Vyhovsky moves that the Senate propose to the House that the bill be amended by adding a new Sec. 56 to read as follows:

Sec. 56. 18 V.S.A. § 4231 is amended to read:

§ 4231. COCAINE

* * *

(c) Trafficking.

(1) ~~Trafficking.~~ A person knowingly and unlawfully possessing cocaine in an amount consisting of 150 grams or more of one or more preparations, compounds, mixtures, or substances containing cocaine with the intent to sell or dispense the cocaine shall be imprisoned not more than 30 years or fined not more than \$1,000,000.00, or both. There shall be a permissive inference that a person who possesses cocaine in an amount consisting of 150 grams or more of one or more preparations, compounds, mixtures, or substances containing cocaine intends to sell or dispense the cocaine. The amount of possessed cocaine under this subdivision to sustain a charge of conspiracy under 13 V.S.A. § 1404 shall be ~~no~~ not less than 400 grams in the aggregate.

(2) ~~A person knowingly and unlawfully possessing crack cocaine in an amount consisting of 60 grams or more of one or more preparations, compounds, mixtures, or substances containing crack cocaine with the intent to sell or dispense the crack cocaine shall be imprisoned not more than 30 years~~

1 ~~or fined not more than \$1,000,000.00, or both. There shall be a permissive~~
2 ~~inference that a person who possesses crack cocaine in an amount consisting of~~
3 ~~60 grams or more of one or more preparations, compounds, mixtures, or~~
4 ~~substances containing crack cocaine intends to sell or dispense the crack~~
5 ~~cocaine. [Repealed.]~~

6 and by renumbering the remaining section to be numerically correct.