

218A.141 Additional penalties for trafficking in controlled substance other than substituted cathinones, synthetic cannabinoid agonists or piperazines, salvia, or marijuana.

Any person convicted of, pleading guilty to, or entering an Alford plea to any offense involving trafficking in a controlled substance, other than trafficking in naphthylpyrovalerone, 3,4-methylenedioxypropylvalerone, 3,4-methylenedioxymethylcathinone, 4-methylmethcathinone, synthetic cannabinoid agonists, piperazines, salvia, or trafficking in marijuana shall, in addition to any other penalty authorized by law, be sentenced to:

- (1) Pay the costs of disposal of the controlled substances;
- (2) Pay the costs of disposal of all equipment, chemicals, materials, or other items used in or in furtherance of the trafficking offense;
- (3) Pay the costs involved with environmental clean-up and remediation required for the real property and personal property used for or in furtherance of the trafficking offenses; and
- (4) Pay the costs of protecting the public from dangers from chemicals, materials, and other items used for or in furtherance of the trafficking offense from the time of the arrest until the time that the clean-up or remediation of the real and personal property is concluded. The Commonwealth shall have a lien on all of the assets of the defendant until the amount specified by the court under this subsection is paid in full. The Commonwealth's attorney shall file the lien.

Effective: March 16, 2011

History: Amended 2011 Ky. Acts ch. 45, sec. 7, effective March 16, 2011. -- Amended 2010 Ky. Acts ch. 149, sec. 8, effective April 13, 2010; and ch. 160, sec. 8, effective April 26, 2010. -- Created 1998 Ky. Acts ch. 606, sec. 61, effective July 15, 1998.