

## 2023 SENTENCING RANGES

NONDRUG OFFENSES												
	A	B	C	D	E	F	G	H	I	TERMS		
	3 + Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3 + Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2 + Misd.	1 Misd No Record	PROB	POST REL	GOOD TIME
1	653/620/592	618/586/554	285/272/258	267/253/240	246/234/221	226/214/203	203/195/184	186/176/166	165/155/147	36	36	15%
2	493/467/442	460/438/416	216/205/194	200/190/181	184/174/165	168/160/152	154/146/138	138/131/123	123/117/109	36	36	15%
3	247/233/221	228/216/206	107/102/96	100/94/89	92/88/82	83/79/74	77/72/68	71/66/61	61/59/55	36	36	15%
4	172/162/154	162/154/144	75/71/68	69/66/62	64/60/57	59/56/52	52/50/47	48/45/42	43/41/38	36	36	15%
5	136/130/122	128/120/114	60/57/53	55/52/50	51/49/46	47/44/41	43/41/38	38/36/34	34/32/31	36	24	15%
6	46/43/40	41/39/37	38/36/34	36/34/32	32/30/28	29/27/25	26/24/22	21/20/19	19/18/17	24	24	15%
7	34/32/30	31/29/27	29/27/25	26/24/22	23/21/19	19/18/17	17/16/15	14/13/12	13/12/11	24 *	12	20%
8	23/21/19	20/19/18	19/18/17	17/16/15	15/14/13	13/12/11	11/10/9	11/10/9	9/8/7	≤18 *	12	20%
9	17/16/15	15/14/13	13/12/11	13/12/11	11/10/9	10/9/8	9/8/7	8/7/6	7/6/5	≤12 *	12	20%
10	13/12/11	12/11/10	11/10/9	10/9/8	9/8/7	8/7/6	7/6/5	7/6/5	7/6/5	≤12 *	12	20%

Presumptive Imprisonment
Border Box
Presumptive Probation

DRUG OFFENSES												
	A	B	C	D	E	F	G	H	I	TERMS		
	3 + Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3 + Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2 + Misd.	1 Misd. No Record	PROB	POST REL	GOOD TIME
1	204/194/185	196/186/176	187/178/169	179/170/161	170/162/154	167/158/150	162/154/146	161/150/142	154/146/138	36	36	15%
2	144/136/130	137/130/122	130/123/117	124/117/111	116/111/105	113/108/101	110/104/99	108/100/96	103/98/92	36	36	15%
3	83/78/74	77/73/68	72/68/65	68/64/60	62/59/55	59/56/52	57/54/51	54/51/49	51/49/46	36	36	20%
4	51/49/46	47/44/41	42/40/37	36/34/32	32/30/28	26/24/23	23/22/20	19/18/17	16/15/14	≤18 *	24	20%
5	42/40/37	36/34/32	32/30/28	26/24/23	22/20/18	18/17/16	16/15/14	14/13/12	12/11/10	≤12 *	12	20%

**Distribute or Possess w/ Intent to Distribute							
Levels	Fentanyl & Cocaine	Meth & Heroin	Marijuana	Manufacture (all)	Cultivate	Dosage Units	Fines NOT to exceed
I	≥ 1 kg	≥ 100 g	≥ 30 kg	2 <sup>nd</sup> (all) or 1 <sup>st</sup> Meth/Fentanyl	>100 plants	>1000	\$500,000
II	100 g - 1 kg	3.5 g - 100 g	450 g - 30 kg	1 <sup>st</sup> (all)	50-99 plants	100-999	\$500,000
III	3.5 g - 100 g	1 g - 3.5 g	25 g - 450 g		5-49 plants	10-99	\$300,000
IV	< 3.5 g	< 1 g	< 25 g			<10	\$300,000
V	Possession	Possession	Poss.-3rd offense				\$100,000

Rebuttable Presumption Intent to Distribute
≥450 g Marijuana
≥3.5 g Heroin, Meth
≥100 dosage units of controlled substance
≥100 g of any other controlled substance

\* ≤ 18 months of drug treatment funding for 2003 SB123 offenders  
 \*\* Severity level increases one level if on or w/in 1000 ft of any school property

