

LEVEL 1 DRUG FELONIES

Elements of Offense

C.R.S. Citation

CRIMINAL CODE — UNIFORM CONTROLLED SUBSTANCES ACT OF 1992

Unlawful Distribution, Manufacturing, Dispensing, or Sale

1. ***Unlawful distribution, manufacturing, dispensing, sale, or possession.*** Any person who: knowingly manufactures, dispenses, sells, or distributes, or possesses with the intent to manufacture, dispense, sell, or distribute, a controlled substance; induces, attempts to induce, or conspires with one or more persons to manufacture, dispense, sell, distribute; possesses with intent to manufacture, dispense, sell, or distribute such a controlled substance; or possesses one or more chemicals, supplies, or pieces of equipment with the intent to manufacture such a controlled substance, commits a level 1 drug felony if the violation involves any material, compound, mixture, or preparation that weighs:
- more than 225 grams and contains a controlled substance listed in schedule I or II of Part 2 of Article 18 of Title 18;
 - more than 112 grams and contains methamphetamine, heroin, ketamine, or cathinone; or
 - more than 50 milligrams and contains flunitrazepam.

18-18-405 (2) (a)

Unlawful distribution, manufacture, dispensing, sale, or possession of a controlled substance is a level 1 drug felony if the offender is an adult who sells, dispenses, distributes, or otherwise transfers any quantity of a controlled substance listed on schedule I or II of Part 2 of Article 18 of Title 18 other than marijuana or marijuana concentrate or any material, compound, mixture, or preparation that contains any amount of such a substance to a minor when the adult is at least two years older than the minor.

18-18-405 (2) (a)
(II)

Offenses Relating to Marijuana

2. ***Offenses relating to marijuana and marijuana concentrate.*** Any person who sells, transfers, or dispenses more than two and one-half pounds of marijuana or more than one pound of marijuana concentrate to a minor commits a level 1 drug felony if the person is an adult and is two years older than the minor.

18-18-406 (1) (a)

Except as otherwise authorized by law, a person who knowingly dispenses, sells, distributes, or possesses with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate, or who attempts, induces, attempts to induce, or conspires with one or more persons to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate commits a level 1 drug felony if the amount of marijuana is more than 50 pounds or the amount of marijuana concentrate is more than 25 pounds.

18-18-406 (2) (b)
(III) (A)