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#In the Greater Appalachia Assembly

September, 2021

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## #Improvements in Sentencing, Health, and Safety Act

**This is an act to Improve sentencing, health, and safety for all people in the state**

*\*Whereas, there are more agreeable ways to address problems affecting the state\**

**\*THEREFORE, BE IT ENACTED by the General Assembly of the Commonwealth of Greater Appalachia that:\***

**\*\*Section 1. Title\*\***

(A) This bill shall be referred to as the "Improvements in Sentencing, Health, and Safety Act"

**\*\*Section 2. Sentencing Reforms\*\***

(a) People found to be illegally in possession of non-felony amounts of controlled substances shall not face jail time or have any charges on their record so long as they submit to a state mandated addiction program:

(1) 1st Offense: Mandatory Outpatient (Non-Commitment) Addiction Treatment Program for 30 Days, or if the person believes that their addiction is severe they may sign paperwork and complete their treatment at an Inpatient facility; all people in the Outpatient program must pass drug tests for the length of the program or their program will be restarted (30 days again) at an Inpatient treatment center; people at Inpatient who fail a test will restart treatment as well;

(2) 2nd Offense: It is the Judges choice of a Mandatory Outpatient treatment Program with a length ranging from 90 through 180 days, with mandatory biweekly drug testing; OR a 45 through 90 day long Inpatient (Commitment) treatment; the Judge should consider the individuals employment status, family obligations, seriousness of the persons addiction, and the

will of the individual before choosing between an Outpatient or Inpatient Treatment Facility; treatment may be cut short by the facility so long as the person has shown significant improvements

(3) 3rd and or Subsequent Offense(s): Mandatory Inpatient Addiction treatment Program ranging from 120 to 270 days in length; treatment may be cut short after 120 days by the facility so long as the person has shown significant improvements

### **\*\*Section 3. Compassionate Use Programs For the Terminally Ill\*\***

(a) Any person with a terminal illness, whom of which is contained inside an inpatient treatment facility, may use psilocybin, mescaline, LSD, ibogaine, or, MDMA if their doctor and or the patient themselves feels it would help them come to terms with or cope with their impending death

(b) The state Board of Health will allow hospitals and hospice facilities to possess the aforementioned controlled substances, so that the terminally ill may use them in their final days

(c) The patient will not be charged for their usage of these substances, instead the costs will be covered by the State

(d) The patient must be closely monitored by their doctor while using these substances

(f) The patient must be permitted to communicate with their family members, relatives, close friends, and or a qualified mental health professional while using these substances

### **\*\*Section 4. Expungements\*\***

(a) Any person who has a felony or misdemeanor offense on their permanent record, of which is no longer considered a felony and or misdemeanor, can now go before a court and have their record wiped of aforementioned offenses, or if the offense was downgraded from a felony to a misdemeanor the offense on their record shall also be downgraded

### **\*\*Section 5. Reforms in Telemedicine\*\***

(a) All controlled substances, irregardless of schedule, may now be prescribed via telemedicine to patients that are terminally ill

(b) Controlled substances may be prescribed to individuals who are already taking a controlled substance for the treatment of a medical condition (i.e. ADHD meds, Anxiety meds, etc.), so long as the newly prescribed controlled substance is being prescribed to replace a controlled

substance they were previously prescribed during an in person visit with a licensed physician, qualified mental health professional, and or doctor

**\*\*Section 6. Closing Loopholes\*\***

(a) Any person who operates a business that is found to be selling or distributing a Synthetic compound or “designer” drug, without a valid permit, that is intended for human consumption, whether directly stated or heavily implied despite labeling that states otherwise, shall pay a minimum fine of \$5,000 and be convicted as a Class F Felon

(b) Any person who operates a business that is found to be intentionally selling or distributing Crack Pipes and or any other drug paraphernalia that is deceptively disguised as something else, such as [“Love Roses”](#), shall pay a minimum fine of \$2,500 and be convicted as a Class H Felon

(c) All business that operate so called “Skill Machines” or “Gift Surplus Machines”, of which can pay cash prizes to the players who use them, must pay the State Lottery Board a tax of 20% on all revenue generated by aforementioned machines

**\*\*Section 7. Nicotine and Tobacco Product Reforms\*\***

(a) Nicotine Replacement Products, also known as smoking cessation products, may now be sold, prescribed, or otherwise distributed to individuals ages 16 or older for the treatment of Nicotine addiction

(b) Nicotine Replacement Products shall henceforth be provided free of charge through the state Department of Health, and must be provided to the public in the following ways:

(1) A printable insurance card, accessible through the Department of Health’s website, that will cover the cost of a valid prescription for Nicotine Replacement Products

(2) Shipped directly from the State Department of Health to an individual

(c) All insurance providers operating in the State of Greater Appalachia must now approve and otherwise cover the full costs of Nicotine Replacement Products, whether obtained over the counter or with a valid prescription, for all policyholders in the state

**\*\*Section 8. Youth Education and Mitigation Programs\*\***

(a) A two week long, in School, educational program shall occur annually in all public and private schools From 6th through 12th Grade on substance abuse and various forms of addiction.

(b) Minors found to be in illegal possession of a controlled substance and is charged with an offense that would result in them going to Juvenile Detention shall henceforth be deferred to programs specialized for addiction treatment in minors, like the programs outlined in Section 2

(c) Guidance Counselors are prohibited from punishing or reporting students who have an addiction to a controlled substance

(d) All Alcoholic Beverages, Nicotine & Tobacco Products, and Marijuana Products must now come in child-proof packaging

(e) ID scanners must be present on any and all lottery terminals in the State of Greater Appalachia

(f) All schools, whether private or public, must have one guidance counselor per every 50 students enrolled at the school, present and hired at all times

(g) All schools, whether private or public, must have one qualified mental health professional per every 50 students enrolled at the school at all times

**\*\*Section 9. Enactment\*\***

(A) This act shall go into effect 90 days after it is signed into law.

(B) If any portion of this act is struck down, the rest of the act shall still be in effect.

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*This piece of legislation was authored by /u/KushGator (D)*