

117TH CONGRESS  
1ST SESSION

# S. 2156

To eliminate the disparity in sentencing for cocaine offenses, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 2021

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To eliminate the disparity in sentencing for cocaine offenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Equal Enforcement  
5 of Cocaine Laws Act”.

1 **SEC. 2. ELIMINATION OF INCREASED PENALTIES FOR CO-**  
 2 **CAINE OFFENSES WHERE THE COCAINE IN-**  
 3 **VOLVED IS COCAINE BASE.**

4 (a) CONTROLLED SUBSTANCES ACT.—Section  
 5 401(b)(1) of the Controlled Substances Act (21 U.S.C.  
 6 841(b)(1)) is amended—

7 (1) in subparagraph (A)—

8 (A) in clause (ii), in the matter preceding  
 9 subclause (I), by striking “5 kilograms” and in-  
 10 serting “280 grams”;

11 (B) by striking clause (iii); and

12 (C) by redesignating clauses (iv) through  
 13 (viii) as clauses (iii) through (vii), respectively;  
 14 and

15 (2) in subparagraph (B)—

16 (A) in clause (ii), in the matter preceding  
 17 subclause (I), by striking “500 grams” and in-  
 18 serting “28 grams”;

19 (B) by striking clause (iii); and

20 (C) by redesignating clauses (iv) through  
 21 (viii) as clauses (iii) through (vii), respectively.

22 (b) CONTROLLED SUBSTANCES IMPORT AND EXPORT  
 23 ACT.—Section 1010(b) of the Controlled Substances Im-  
 24 port and Export Act (21 U.S.C. 960(b)) is amended—

25 (1) in paragraph (1)—

1 (A) in subparagraph (B), in the matter  
2 preceding clause (i), by striking “5 kilograms”  
3 and inserting “280 grams”;

4 (B) by striking subparagraph (C);

5 (C) by redesignating subparagraphs (D)  
6 through (H) as subparagraphs (C) through (G),  
7 respectively; and

8 (D) in subparagraph (G), as so redesign-  
9 dated, by striking the period at the end and in-  
10 serting a semicolon; and

11 (2) in paragraph (2)—

12 (A) in subparagraph (B), in the matter  
13 preceding clause (i), by striking “500 grams”  
14 and inserting “28 grams”;

15 (B) by striking subparagraph (C);

16 (C) by redesignating subparagraphs (D)  
17 through (H) as subparagraphs (C) through (G),  
18 respectively; and

19 (D) in subparagraph (G), as so redesign-  
20 dated, by striking the period at the end and in-  
21 serting a semicolon.

22 (c) APPLICABILITY TO PENDING CASES.—This sec-  
23 tion, and the amendments made by this section, shall

- 1 apply to any sentence imposed after the date of enactment
- 2 of this Act, regardless of when the offense was committed.

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