

SENATE FILE NO. SF0170

Controlled substances-penalties.

Sponsored by: Senator(s) Boggs and Representative(s) Iekel

A BILL

for

1 AN ACT relating to controlled substances; extending the
2 maximum probation period for possession of small amounts of
3 controlled substances; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 35-7-1031(c)(i)(intro) is amended to
8 read:

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10 **35-7-1031. Unlawful manufacture or delivery;**
11 **counterfeit substance; unlawful possession.**

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13 (c) It is unlawful for any person knowingly or
14 intentionally to possess a controlled substance unless the
15 substance was obtained directly from, or pursuant to a
16 valid prescription or order of a practitioner while acting
17 in the course of his professional practice, or except as

1 otherwise authorized by this act. Any person who violates
2 this subsection:

3
4 (i) And has in his possession a controlled
5 substance in the amount set forth in this paragraph is
6 guilty of a misdemeanor punishable by imprisonment for not
7 more than twelve (12) months, a fine of not more than one
8 thousand dollars (\$1,000.00), or both. Notwithstanding any
9 other provision of law, the term of probation imposed by a
10 judge under this paragraph may exceed the maximum term of
11 imprisonment established for the offense under this
12 paragraph provided the term of probation, together with any
13 extension thereof, shall in no case exceed three (3) years.

14 Any person convicted for a third or subsequent offense
15 under this paragraph, including convictions for violations
16 of similar laws in other jurisdictions, shall be imprisoned
17 for a term not more than five (5) years, fined not more
18 than five thousand dollars (\$5,000.00), or both. For
19 purposes of this paragraph, the amounts of a controlled
20 substance are as follows:

21
22 **Section 2.** This act is effective July 1, 2005.

23
24 (END)