

HOUSE BILL NO. HB0129

Controlled substances-2.

Sponsored by: Representative(s) Krone, Halverson, Miller
and Pownall and Senator(s) Coe

A BILL

for

1 AN ACT relating to controlled substances; specifying the
2 weight for prosecution of edibles and drinkables containing
3 marihuana or tetrahydrocannabinols; specifying the weight
4 for prosecution of controlled substances in other forms;
5 and providing for an effective date.

6

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

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9 **Section 1.** W.S. 35-7-1031(c)(i) by creating new
10 subparagraphs (G) and (H) is amended to read:

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12 **35-7-1031. Unlawful manufacture or delivery;**
13 **counterfeit substance; unlawful possession.**

14

1 (c) It is unlawful for any person knowingly or
2 intentionally to possess a controlled substance unless the
3 substance was obtained directly from, or pursuant to a
4 valid prescription or order of a practitioner while acting
5 in the course of his professional practice, or except as
6 otherwise authorized by this act. With the exception of
7 dronabinol as listed in W.S. 35-7-1018(h), and
8 notwithstanding any other provision of this act, no
9 practitioner shall dispense or prescribe marihuana,
10 tetrahydrocannabinol, or synthetic equivalents of marihuana
11 or tetrahydrocannabinol and no prescription or
12 practitioner's order for marihuana, tetrahydrocannabinol,
13 or synthetic equivalents of marihuana or
14 tetrahydrocannabinol shall be valid. Any person who
15 violates this subsection:

16

17 (i) And has in his possession a controlled
18 substance in the amount set forth in this paragraph is
19 guilty of a misdemeanor punishable by imprisonment for not
20 more than twelve (12) months, a fine of not more than one
21 thousand dollars (\$1,000.00), or both. Any person
22 convicted for a third or subsequent offense under this
23 paragraph, including convictions for violations of similar

1 laws in other jurisdictions, shall be imprisoned for a term
2 not more than five (5) years, fined not more than five
3 thousand dollars (\$5,000.00), or both. For purposes of
4 this paragraph, the amounts of a controlled substance are
5 as follows:

6
7 (G) For preparations, compounds, mixtures
8 or substances, including but not limited to baked goods,
9 candies, drinks, edibles or any other similar form
10 containing marihuana or tetrahydrocannabinols, no more than
11 three and six tenths (3.6) grams of tetrahydrocannabinol;

12
13 (H) Except as otherwise provided in this
14 paragraph, for a controlled substance in any other form, no
15 more than three (3) grams.

16
17 **Section 2.** This act is effective July 1, 2016.

18
19 (END)