

HOUSE BILL NO. HB0137

Controlled substances-disposal.

Sponsored by: Representative(s) Brown and Senator(s)
Nicholas, P.

A BILL

for

1 AN ACT relating to controlled substances; authorizing the
2 collection of a decedent's controlled substances for
3 disposal as specified; providing an exemption from
4 prosecution for possession of controlled substances for
5 disposal as specified; requiring compliance with federal
6 law; modifying immunity provision accordingly; and
7 providing for an effective date.

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

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11 **Section 1.** W.S. 2-1-501 is created to read:

12

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ARTICLE 5

14

DISPOSAL OF PROPERTY

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1 **2-1-501. Disposal of controlled substances.**

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3 A law enforcement officer or health care professional is
4 authorized to collect any controlled substances of the
5 decedent for purposes of disposal in accordance with
6 applicable federal and state law.

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8 **Section 2.** W.S. 35-7-1063, 35-7-1603(c)(intro) and
9 35-7-1605(a) are amended to read:

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11 **35-7-1063. Exceptions to provisions.**

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13 (a) The provisions and penalties of this chapter
14 shall not apply to:

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16 (i) The medical use of hemp extract when used in
17 accordance with the provisions of W.S. 35-7-1901 through
18 35-7-1903;

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20 (ii) Persons in possession of any controlled
21 substances for purposes of disposal in accordance with
22 applicable federal and state law.

23

35-7-1603. Drug donation, redispensing and disposal
program established; minimum requirements.

(c) To the extent authorized by applicable federal law, the drug drop off and disposal program shall have the following features:

35-7-1605. Participant immunity.

(a) In the absence of bad faith, any person who participates in donating, accepting, distributing or dispensing drugs under this act and in accordance with federal law shall be immune from civil or criminal liability or professional disciplinary action of any kind for any related injury, death or loss. No person, in the absence of bad faith, shall be liable for the bad faith of another relating to the provisions of this act.

Section 3. This act is effective July 1, 2016.

(END)