

HOUSE BILL NO. HB0099

Wyoming Controlled Substances Act-amendments.

Sponsored by: Representative(s) McMurtrey and Latta

A BILL

for

1 AN ACT relating to Wyoming Controlled Substances Act;  
2 amending penalties for various offenses under the act as  
3 specified; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 35-7-1031(c)(i)(intro) and 35-7-1039  
8 are amended to read:

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

12

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

16

17 **35-7-1039. Person using or under influence of**  
18 **controlled substance.**

19

20 Any person who knowingly or intentionally uses or is under  
21 the influence of a controlled substance listed in Schedules  
22 I, II or III except when administered or prescribed by or  
23 under the direction of a licensed practitioner, shall be  
24 guilty of a misdemeanor and shall be punished by

1 imprisonment in the county jail not to exceed ~~ninety (90)~~  
2 ~~days~~ six (6) months or a fine not to exceed ~~one hundred~~  
3 ~~dollars (\$100.00)~~ seven hundred fifty dollars (\$750.00), or  
4 by both.

5

6 **Section 2.** This act is effective July 1, 2004.

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8

(END)