

HOUSE BILL NO. HB0150

Controlled substances-prior offense.

Sponsored by: Representative(s) Shepperson, Edmonds and Simpson and Senator(s) Hines and Perkins

A BILL

for

1 AN ACT relating to the Wyoming Controlled Substances Act;
2 specifying prior convictions that shall count toward the
3 imposition of an enhanced sentence for possession of a
4 controlled substance; and providing for an effective date.

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

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

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

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14 (c) It is unlawful for any person knowingly or
15 intentionally to possess a controlled substance unless the
16 substance was obtained directly from, or pursuant to a

1 valid prescription or order of a practitioner while acting
2 in the course of his professional practice, or except as
3 otherwise authorized by this act. Any person who violates
4 this subsection:

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6 (i) And has in his possession a controlled
7 substance in the amount set forth in this paragraph is
8 guilty of a misdemeanor punishable by imprisonment for not
9 more than twelve (12) months, a fine of not more than one
10 thousand dollars (\$1,000.00), or both. Any person
11 convicted for a third or subsequent offense under this
12 paragraph, including convictions for violations of similar
13 laws in other jurisdictions, shall be imprisoned for a term
14 not more than five (5) years, fined not more than five
15 thousand dollars (\$5,000.00), or both. Any prior
16 conviction under subsection (a) or (b) of this section, or
17 convictions for violation of laws in other jurisdictions
18 similar to those specified in subsection (a) or (b) of this
19 section, shall be included for purposes of calculating
20 whether the present conviction is a third or subsequent
21 conviction under this paragraph. For purposes of this
22 paragraph, the amounts of a controlled substance are as
23 follows:

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1 **Section 2.** This act is effective July 1, 2007.

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(END)