

SENATE BILL 450

By Burks

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 4, possession of a controlled
substance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-418(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a)

(1) It is an offense for a person to knowingly possess a controlled substance as defined in § 39-17-402(4), whether internally or externally, or casually exchange a controlled substance.

(2) The presence of any amount of a controlled substance in a lawfully obtained sample of a person's bodily fluid is evidence of internal possession under subdivision (a)(1).

(3) It is an exception to an offense under subsection (a) that the person obtained the substance directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice and the controlled substance present in the bodily fluid sample, is the same controlled substance for which the person has a valid prescription or order.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.