

HOUSE BILL NO. HB0037

Controlled substances.

Sponsored by: Joint Judiciary Interim Committee

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.**

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15 (c) It is unlawful for any person knowingly or
16 intentionally to possess a controlled substance unless the

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

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15 (i) And has in his possession a controlled
16 substance in the amount set forth in this paragraph is
17 guilty of a misdemeanor punishable by imprisonment for not
18 more than twelve (12) months, a fine of not more than one
19 thousand dollars (\$1,000.00), or both. Any person
20 convicted for a third or subsequent offense under this
21 paragraph, including convictions for violations of similar
22 laws in other jurisdictions, shall be imprisoned for a term
23 not more than five (5) years, fined not more than five

1 thousand dollars (\$5,000.00), or both. For purposes of
2 this paragraph, the amounts of a controlled substance are
3 as follows:

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5 (G) For preparations, compounds, mixtures,
6 or substances, including but not limited to baked goods,
7 candies, drinks, edibles or any other similar form
8 containing marihuana or tetrahydrocannabinols, no more than
9 one (1) pound;

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

14

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

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(END)