

SENATE FILE NO. SF0023

Possession of nonplant form marihuana.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to controlled substances; providing
2 penalties for possession of marihuana and
3 tetrahydrocannabinols in nonplant form; and providing for
4 an effective date.

5

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

7

8 **Section 1.** W.S. 35-7-1031(c)(i)(B) and by creating
9 new subparagraphs (G) through (J) is amended to read:

10

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. With the exception of
4 dronabinol as listed in W.S. 35-7-1018(h), and
5 notwithstanding any other provision of this act, no
6 practitioner shall dispense or prescribe marihuana,
7 tetrahydrocannabinol, or synthetic equivalents of marihuana
8 or tetrahydrocannabinol and no prescription or
9 practitioner's order for marihuana, tetrahydrocannabinol,
10 or synthetic equivalents of marihuana or
11 tetrahydrocannabinol shall be valid. Any person who
12 violates this subsection:

13

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

1 this paragraph, the amounts of a controlled substance are
2 as follows:

3
4 (B) For a controlled substance in liquid
5 form, except as provided in subparagraph (G) of this
6 paragraph, no more than three-tenths (3/10) of a gram;

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8 (G) For a controlled substance listed under
9 W.S. 35-7-1014(d)(xiii) or (xxi) that is commercially
10 packaged as a drinkable liquid in a jurisdiction where such
11 commerce is legal, no more than thirty-six (36) fluid
12 ounces;

13
14 (H) For a controlled substance in the form
15 of a resin, whether crude or purified, obtained from a
16 plant of the genus Cannabis that contains
17 tetrahydrocannabinol, no more than three (3) grams;

18
19 (J) For a controlled substance listed under
20 W.S. 35-7-1014(d)(xiii) or (xxi) in a form not described in
21 subparagraphs (A) through (H) of this paragraph, no more
22 than three (3) ounces.

23

1 **Section 2.** This act is effective July 1, 2018.

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3

(END)