

FINAL BILL REPORT

SSB 6233

C 134 L 02
Synopsis as Enacted

Brief Description: Clarifying references to ephedrine, pseudoephedrine, and ammonia.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Rasmussen, Long, Shin, Kastama, Franklin, Winsley, Spanel, Swecker, Regala and McAuliffe).

Senate Committee on Judiciary
House Committee on Judiciary

Background: It is unlawful to possess ephedrine, pseudoephedrine, or anhydrous ammonia with the intent to manufacture methamphetamine. In *State v. Halsten*, the Court of Appeals held that the statute does not specifically make it unlawful to possess the salts or isomers of these substances with the intent to manufacture methamphetamine. Most states and the federal statutes specifically include salts or isomers.

"Anhydrous ammonia" is ammonia that does not contain any water. If it is exposed to the air, as it often is when it is stored improperly, its chemical composition changes and it is no longer anhydrous. Anhydrous ammonia also undergoes chemical modification during the manufacture of methamphetamine.

Summary: It is unlawful to possess ephedrine or any of its salts or isomers, or salts of isomers, pseudoephedrine or any of its salts or isomers, or salts of isomers, or pressurized ammonia gas or gas solution with the intent to manufacture methamphetamine. The language change applies to the sentence enhancement and Department of Social and Health Services notification procedures when a special allegation regarding the presence of children is proved. References in the sentencing grid are also corrected.

Votes on Final Passage:

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|--------|----|---|--------------------|
| Senate | 46 | 0 | |
| House | 92 | 0 | (House amended) |
| Senate | 45 | 0 | (Senate concurred) |

Effective: March 26, 2002