
Public Safety Committee

HB 2116

Brief Description: Reducing the penalty for possession of controlled substances.

Sponsors: Representative Appleton.

Brief Summary of Bill
<ul style="list-style-type: none">• Reduces the penalty for possession of a controlled substance from a class C felony to a misdemeanor.

Hearing Date: 1/14/14

Staff: Sarah Koster (786-7303).

Background:

Under current law, controlled substances are defined as a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or state board of pharmacy rules. The schedule a substance is placed in depends on its potential for abuse, whether there is a currently accepted medical use in treatment, and the safety substances and risk for dependence, as determined by the Pharmacy Quality Assurance Commission. Substances in Schedule I are the most tightly controlled, while those in Schedule V are the least tightly controlled.

Possession of a controlled substance is a class C felony. Class C felonies are punishable by five years in a state correctional institution, a fine of \$10,000, or both confinement and a fine.

Summary of Bill:

Possession of a controlled substance is a misdemeanor.

A misdemeanor is punishable by up to 90 days in jail, a fine of \$1,000, or both. In addition, a misdemeanor violation of the Uniform Controlled Substances Act is subject to mandatory

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

minimum penalties of imprisonment of not less than 24 consecutive hours and by a fine of not less than \$250.

Possession with intent to manufacture or deliver a controlled substance and possession of a counterfeit substance are unchanged: a class B or C felony, depending on the substance.

Appropriation: None.

Fiscal Note: Requested on January 8, 2014.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.