

FIRST REGULAR SESSION

HOUSE BILL NO. 335

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BAKER, JOLLY, KELLY (36) (Co-sponsors) AND ERVIN.

Read 1st time January 30, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1289L.011

AN ACT

To repeal section 195.202, RSMo, and to enact in lieu thereof one new section relating to possession or control of a controlled substance, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 195.202, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 195.202, to read as follows:

195.202. 1. Except as authorized by sections 195.005 to 195.425, it is unlawful for any person to possess, **be under the influence of**, or have under his control a controlled substance.

2. **Except as provided in subsection 4 of this section** any person who violates this section with respect to any controlled substance except thirty-five grams or less of marijuana is guilty of a class C felony.

3. **Except as provided in subsection 4 of this section** any person who violates this section with respect to not more than thirty-five grams of marijuana is guilty of a class A misdemeanor.

4. **Any person who violates this section with respect to being under the influence of a controlled substance is guilty of a class A misdemeanor.**