

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 718,
2 Page 2, Section 376.1237, Line 18, by inserting after all of said section and line the following:
3

4 "579.040. 1. A person commits the offense of unlawful distribution, delivery, or sale of
5 drug paraphernalia if he or she unlawfully distributes, delivers, or sells, or possesses with intent to
6 distribute, deliver, or sell drug paraphernalia knowing, or under circumstances in which one
7 reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest,
8 manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store,
9 contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled
10 substance or an imitation controlled substance in violation of this chapter. Any entity registered
11 with the department of health and senior services that possesses, distributes, delivers, or sells
12 hypodermic needles or syringes shall be exempt from the provisions of this section.

13 2. The offense of unlawful delivery of drug paraphernalia is a class A misdemeanor, unless
14 done for commercial purposes, in which case it is a class E felony.

15 579.076. 1. A person commits the offense of unlawful manufacture of drug paraphernalia if
16 he or she unlawfully manufactures with intent to deliver drug paraphernalia, knowing, or under
17 circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate,
18 grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack,
19 repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a
20 controlled substance or an imitation controlled substance in violation of this chapter or chapter 195.
21 Any entity registered with the department of health and senior services that delivers or manufactures
22 hypodermic needles or syringes shall be exempt from the provisions of this section.

23 2. The offense of unlawful manufacture of drug paraphernalia is a class A misdemeanor,
24 unless done for commercial purposes, in which case it is a class E felony."; and
25

26 Further amend said bill by amending the title, enacting clause, and intersectional references
27 accordingly.
28

Action Taken _____ Date _____