

HOUSE BILL NO. HB0049

Marihuana possession.

Sponsored by: Representative(s) Byrd

A BILL

for

1 AN ACT relating to marihuana possession; amending penalties
2 for marihuana possession as specified; and providing for an
3 effective date.

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

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7 **Section 1.** W.S. 35-7-1031(c)(i)(A), by creating a new
8 subparagraph (G) and by creating a new paragraph (vi) is
9 amended to read:

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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
17 valid prescription or order of a practitioner while acting

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

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

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(A) Except as provided in subparagraph (G) of this paragraph, for a controlled substance in plant form, no more than three (3) ounces;

(G) For marihuana, no more than three (3) ounces but greater than one (1) ounce.

(vi) And has in his possession marihuana:

(A) In an amount no more than one (1) ounce but greater than one-half (1/2) ounce shall be subject to a civil penalty of one hundred dollars (\$100.00); or

(B) In an amount no more than one-half (1/2) ounce shall be subject to a civil penalty of fifty dollars (\$50.00).

Section 2. This act is effective July 1, 2014.

(END)