SENATE FILE NO. SF0023

Possession of nonplant form marihuana.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to controlled substances; providing penalties for possession of marihuana and tetrahydrocannabinols in nonplant form; and providing for an effective date.

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

Section 1. W.S. 35-7-1031(c)(i)(B) and by creating new subparagraphs (G) through (J) is amended to read:

35-7-1031. Unlawful manufacture or delivery; counterfeit substance; unlawful possession.

(c) It is unlawful for any person knowingly or intentionally to possess a controlled substance unless the substance was obtained directly from, or pursuant to a
valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this act. With the exception of dronabinol as listed in W.S. 35-7-1018(h), and notwithstanding any other provision of this act, no practitioner shall dispense or prescribe marihuana, tetrahydrocannabinol, or synthetic equivalents of marihuana or tetrahydrocannabinol and no prescription or practitioner's order for marihuana, tetrahydrocannabinol, or synthetic equivalents of marihuana or tetrahydrocannabinol shall be valid. Any person who violates this subsection:

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

(B) For a controlled substance in liquid form, except as provided in subparagraph (G) of this paragraph, no more than three-tenths (3/10) of a gram;

(G) For a controlled substance listed under W.S. 35-7-1014(d)(xiii) or (xxi) that is commercially packaged as a drinkable liquid in a jurisdiction where such commerce is legal, no more than thirty-six (36) fluid ounces;

(H) For a controlled substance in the form of a resin, whether crude or purified, obtained from a plant of the genus Cannabis that contains tetrahydrocannabinol, no more than three (3) grams;

(J) For a controlled substance listed under W.S. 35-7-1014(d)(xiii) or (xxi) in a form not described in subparagraphs (A) through (H) of this paragraph, no more than three (3) ounces.
Section 2. This act is effective July 1, 2018.

(END)