

Hall of the House of Representatives

84th General Assembly - Regular Session, 2003

Amendment Form

Subtitle of House Bill No. 2596

"AN ACT TO ESTABLISH CRIMINAL PENALTIES FOR THE POSSESSION OF ONE
OUNCE OR LESS OF MARIJUANA."

Amendment No. 2 to House Bill No. 2596.

Amend House Bill No. 2596 as engrossed, 4/7/03:

Delete Section 1 and substitute:

"SECTION 1. (a)(1) Notwithstanding any other provision of law, it shall be unlawful for any person to knowingly possess one ounce (1 oz.) or less of marijuana or tetrahydrocannabinols.

(2) Any person who pleads guilty or nolo contendere to, or is found guilty of violating subsection (a)(1) of this section shall be guilty of a Class A misdemeanor and imprisoned for no less than twenty-four hours and no more than one (1) year, except that the court may order public service in lieu of jail, and shall be fined not less than one hundred fifty dollars (\$150) and no more than one thousand dollars (\$1000).

(3) Any person who pleads guilty or nolo contendere to, or is found guilty of violating subsection (a)(1) of this section for the second offense occurring within five (5) years of the first offense, shall be guilty of a Class A misdemeanor and imprisoned for no fewer than seven (7) days but no more than one (1) year or no fewer than thirty (30) days of community service, and shall be fined no less than four hundred dollars (\$400) and no more than one thousand dollars (\$1,000).

(4) Any person who pleads guilty or nolo contendere to, or is found guilty of violating subsection (a)(1) of this section for a third or subsequent offense occurring within five (5) years of the first offense shall be guilty of a Class D felony and imprisoned for no fewer than ninety (90) days but no more than six (6) years or no fewer than ninety (90) days of community service, and shall be fined no less than nine hundred dollars (\$900) and no more than ten thousand dollars (\$10,000).

(b) Any person who unlawfully possesses more than one ounce (1 oz.) of marijuana or tetrahydrocannabinols shall be punished as provided under the Uniform Controlled Substances Act, § 5-64-101 et seq."



The Amendment was read _____

By: Representative Pritchard
PBB/RCK - 040820031556
RCK888

Chief Clerk

