

FIRST REGULAR SESSION

# HOUSE BILL NO. 332

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BAKER (123) (Sponsor), ERVIN, DUSENBERG, NANCE, FISHER, BROWN (30), STEVENSON, SANDER, POLLOCK, KINGERY AND ROBB (Co-sponsors).

Read 1<sup>st</sup> time January 26, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0826L.011

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### 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.

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Section A. Section 195.202, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 195.202, to read as follows: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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.