

SECOND REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1620

99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE REHDER.

4463H.01P

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal sections 579.040 and 579.076, RSMo, and to enact in lieu thereof two new sections relating to distributors of hypodermic needles.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 579.040 and 579.076, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 579.040 and 579.076, to read as follows:

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

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

579.076. 1. A person commits the offense of unlawful manufacture of drug  
2 paraphernalia if he or she unlawfully manufactures with intent to deliver drug paraphernalia,  
3 knowing, or under circumstances where one reasonably should know, that it will be used to plant,

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.

4 propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare,  
5 test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce  
6 into the human body a controlled substance or an imitation controlled substance in violation of  
7 this chapter or chapter 195. **Any entity registered with the department of health and senior  
8 services that delivers or manufactures hypodermic needles or syringes shall be exempt  
9 from the provisions of this section.**

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

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