

SECOND REGULAR SESSION

# HOUSE BILL NO. 2558

99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE POGUE.

6489H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 579.020, RSMo, and to enact in lieu thereof one new section relating to the delivery 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:*

2 Section A. Section 579.020, RSMo, is repealed and one new section enacted in lieu  
3 thereof, to be known as section 579.020, to read as follows:

4 579.020. 1. A person commits the offense of delivery of a controlled substance if,  
5 except as authorized in this chapter or chapter 195, he or she:

6 (1) Knowingly distributes or delivers a controlled substance;

7 (2) Attempts to distribute or deliver a controlled substance;

8 (3) Knowingly possesses a controlled substance with the intent to distribute or deliver  
9 any amount of a controlled substance; or

10 (4) Knowingly permits a minor to purchase or transport illegally obtained controlled  
11 substances.

12 2. Except when the controlled substance is thirty-five grams or less of marijuana or  
13 synthetic cannabinoid or as otherwise provided under subsection 5 of this section, the offense  
14 of delivery of a controlled substance is a class C felony.

15 3. Except as otherwise provided under subsection 4 of this section, the offense of  
16 delivery of thirty-five grams or less of marijuana or synthetic cannabinoid is a class E felony.

17 4. The offense of delivery of thirty-five grams or less of marijuana or synthetic  
18 cannabinoid to a person less than seventeen years of age who is at least two years younger than  
19 the defendant is a class C felony.

20 5. The offense of delivery of a controlled substance is a class B felony if:

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.

18 (1) The delivery or distribution is any amount of a controlled substance except thirty-five  
19 grams or less of marijuana or synthetic cannabinoid, to a person less than seventeen years of age  
20 who is at least two years younger than the defendant; or

21 (2) The person knowingly permits a minor to purchase or transport illegally obtained  
22 controlled substances.

23 **6. The offense of delivery of a controlled substance is a class A felony if a death**  
24 **results from the delivery of the controlled substance.**

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