

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 275, Page 55, Section 376.1578, Line 24, by
2 inserting after said section and line the following:

3
4 "579.015. 1. A person commits the offense of possession of a controlled substance if he or she
5 knowingly possesses a controlled substance, except as authorized by this chapter or chapter 195.

6 2. The offense of possession of any controlled substance except thirty-five grams or less of
7 marijuana ~~[or]~~ , any synthetic cannabinoid, or an amount equivalent to thirty-five grams or less of marijuana
8 concentrate is a class D felony.

9 3. The offense of possession of ~~[more than ten grams but]~~ thirty-five grams or less of marijuana ~~[or]~~ ,
10 any synthetic cannabinoid ~~[is a class A misdemeanor.~~

11 ~~4. The offense of possession of not more than ten grams of marijuana or any synthetic cannabinoid]~~ ,
12 or an amount equivalent to thirty-five grams or less of marijuana concentrate is a class D misdemeanor. ~~[If~~
13 ~~the defendant has previously been found guilty of any offense of the laws related to controlled substances of~~
14 ~~this state, or of the United States, or any state, territory, or district, the offense is a class A misdemeanor.~~
15 ~~Prior findings of guilt shall be pleaded and proven in the same manner as required by section 558.021.]~~

16 ~~[5.]~~ 4. In any complaint, information, or indictment, and in any action or proceeding brought for the
17 enforcement of any provision of this chapter or chapter 195, it shall not be necessary to include any
18 exception, excuse, proviso, or exemption contained in this chapter or chapter 195, and the burden of proof of
19 any such exception, excuse, proviso or exemption shall be upon the defendant."; and

20
21 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____