

FEB 11 2003

JUDICIARY

HOUSE FILE 165
BY EICHHORN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to possessing a product or receiving a precursor
2 substance to be used in the unlawful manufacture of a
3 controlled substance.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 165

1 Section 1. Section 124.401, subsection 4, unnumbered
2 paragraph 1, Code 2003, is amended to read as follows:

3 A person who possesses any product containing any of the
4 following commits a class "D" felony, if the person possesses
5 with the intent ~~to use the product~~ that the product be used to
6 manufacture any controlled substance:

7 Sec. 2. Section 124B.9, subsection 2, Code 2003, is
8 amended to read as follows:

9 2. A person who receives a precursor substance with the
10 intent ~~to use the~~ that the substance be used unlawfully to
11 manufacture a controlled substance commits a class "C" felony.

12 EXPLANATION

13 This bill relates to possessing a product or receiving a
14 precursor substance to be used in the unlawful manufacture of
15 a controlled substance.

16 The bill changes the definition of the criminal offense of
17 possessing a product for use in the unlawful manufacture of a
18 controlled substance. The bill provides that it is unlawful
19 for a person to possess any product listed in Code section
20 124.401(4) with the intent the product be used to unlawfully
21 manufacture a controlled substance. Current law provides that
22 it is unlawful to possess any product listed in Code section
23 124.401(4) with the intent to use the product to unlawfully
24 manufacture a controlled substance. A person who unlawfully
25 possesses such product commits a class "D" felony.

26 The bill changes the definition of the criminal offense of
27 receiving a precursor substance with the intent to unlawfully
28 manufacture a controlled substance. The bill provides that it
29 is unlawful for a person to receive a precursor substance
30 listed in Code section 124B.2 with the intent the substance be
31 used to unlawfully manufacture a controlled substance.
32 Current law provides that it is unlawful to receive a
33 precursor substance with the intent to use the substance
34 unlawfully to manufacture a controlled substance. A person
35 who unlawfully receives a precursor substance commits a class

- 1 "C" felony.
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