

JAN 22 2004
PUBLIC SAFETY

HOUSE FILE 2067
BY SWAIM

(COMPANION TO LSB 5206SS
BY MCKIBBEN)

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

A BILL FOR

1 An Act relating to receiving a precursor substance or possessing
2 a product 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 2067

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

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

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

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

13 EXPLANATION

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

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

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

1 who unlawfully receives a precursor substance commits a class
2 "C" felony.

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