

House File 228 - Introduced

HOUSE FILE 228

BY ABDUL-SAMAD and MASCHER

A BILL FOR

1 An Act relating to the criminal offense of manufacturing,
2 delivering, selling, or possessing drug paraphernalia by
3 exempting hypodermic needles or syringes delivered, sold, or
4 possessed through an approved needle exchange program.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.414, subsection 1, paragraph b, Code
2 2017, is amended to read as follows:

3 b. "Drug paraphernalia" does not include hypodermic needles
4 or syringes if manufactured, delivered, sold, or possessed for
5 a lawful purpose. "Lawful purpose" includes hypodermic needles
6 or syringes delivered, sold, or possessed through an approved
7 needle exchange program established pursuant to rules adopted
8 by the department of public health.

9

EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill relates to the criminal offense of manufacturing,
13 delivering, selling, or possessing drug paraphernalia by
14 exempting hypodermic needles or syringes delivered, sold, or
15 possessed through an approved needle exchange program.

16 Currently, a person who illegally manufactures, delivers,
17 sells, or possesses drug paraphernalia commits a simple
18 misdemeanor under Code section 124.414. Current law also
19 provides that "drug paraphernalia" does not include hypodermic
20 needles or syringes if manufactured, delivered, sold, or
21 possessed for a lawful purpose. The bill specifies that
22 "lawful purpose" includes hypodermic needles or syringes
23 delivered, sold, or possessed through an approved needle
24 exchange program established pursuant to rules adopted by the
25 department of public health.