

Senate File 178 - Introduced

SENATE FILE 178

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BOULTON, WAHLS, LYKAM, J.
SMITH, PETERSEN, JOCHUM,
DOTZLER, and BOLKCOM

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 2019, is amended to read as follows:

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

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EXPLANATION

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

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

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