

By: Senator(s) Huggins

To: Judiciary

SENATE BILL NO. 2623

1 AN ACT TO CODIFY SECTION 41-29-313, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT THE UNLAWFUL SALE, PURCHASE, POSSESSION, TRANSFER,
3 THEFT OR DISTRIBUTION OF A LISTED CHEMICAL OR DRUG WITH THE INTENT
4 TO UNLAWFULLY MANUFACTURE A CONTROLLED SUBSTANCE; AND FOR RELATED
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. The following provision shall be codified as

8 Section 41-29-313, Mississippi Code of 1972:

9 41-29-313. (1) Except as authorized in this section, it is
10 unlawful for any person to knowingly or intentionally:

11 (a) Sell, purchase, possess, transfer, steal or
12 distribute a listed precursor chemical or drug in any amount with
13 the intent to unlawfully manufacture a controlled substance;

14 (b) Sell, purchase, possess, transfer, steal or
15 distribute a listed precursor chemical or drug in any amount,
16 knowing, or having a reasonable cause to believe, that the listed
17 precursor chemical or drug will be used to unlawfully manufacture
18 a controlled substance.

19 (2) The term "listed precursor chemical or drug" means a
20 chemical or drug that, in addition to legitimate uses, may be used
21 in manufacturing a controlled substance in violation of this
22 chapter. Such term includes any salt, optical isomer or salt of
23 an optical isomer, whenever the existence of such salt, optical
24 isomer or salt of optical isomer is possible within the specific
25 chemical designation. The chemicals or drugs listed in this
26 section are included by whatever official, common, usual, chemical
27 or trade name designated. The following are "listed precursor

28 chemicals or drugs":

- 29 (a) Ethyl ether;
- 30 (b) Anhydrous ammonia;
- 31 (c) Pseudoephedrine;
- 32 (d) Ephedrine;
- 33 (e) Denatured alcohol;
- 34 (f) Lithium;
- 35 (g) Benzedrine;
- 36 (h) Hydrochloric acid;
- 37 (i) Hydriodic acid;
- 38 (j) Red phosphorous;
- 39 (k) Iodine;
- 40 (l) Sodium metal muriatic acid.

41 (3) Any person who violates subsection (1) of this section,
42 upon conviction, is guilty of a felony and may be imprisoned for a
43 period not to exceed thirty (30) years and shall be fined not less
44 than Five Thousand Dollars (\$5,000.00) nor more than One Million
45 Dollars (\$1,000,000.00), or both fine and imprisonment.

46 SECTION 2. This act shall take effect and be in force from
47 and after its passage.