

By: Senator(s) Huggins

To: Judiciary

SENATE BILL NO. 2623  
(As Passed the Senate)

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) Purchase, possess, transfer, steal or distribute  
12 any two (2) or more of the listed precursor chemicals or drugs in  
13 any amount with the intent to unlawfully manufacture a controlled  
14 substance;

15 (b) Purchase, possess, transfer, steal or distribute  
16 any two (2) or more of the listed precursor chemicals or drugs in  
17 any amount, knowing, or having probable cause to believe, that the  
18 listed precursor chemical or drug will be used to unlawfully  
19 manufacture a controlled substance.

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

28 or trade name designated. The following are "listed precursor  
29 chemicals or drugs":

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

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

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