

*****Pending*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2623

By Representative(s) Committee

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

8 SECTION 1. The following provision shall be codified as
9 Section 41-29-313, Mississippi Code of 1972:

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

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

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

21 (c) Steal or unlawfully take or carry away any amount
22 of anhydrous amonia.

23 (2) The term "listed precursor chemical or drug" means a
24 chemical or drug that, in addition to legitimate uses, may be used
25 in manufacturing a controlled substance in violation of this
26 chapter. Such term includes any salt, optical isomer or salt of
27 an optical isomer, whenever the existence of such salt, optical
28 isomer or salt of optical isomer is possible within the specific

29 chemical designation. The chemicals or drugs listed in this
30 section are included by whatever official, common, usual, chemical
31 or trade name designated. The following are "listed precursor
32 chemicals or drugs":

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

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

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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

99\HR03\SB2623A.J *HR03/SB2623AJ*