



## 2003 ASSEMBLY BILL 212

March 25, 2003 - Introduced by Representatives PETTIS, SUDER, LEMAHIEU, KRAWCZYK, BIES, HINES and ALBERS, cosponsored by Senator ROESSLER. Referred to Committee on Criminal Justice.

1     **AN ACT** *to renumber and amend* 961.573 (3); and *to create* 961.573 (3) (b) 2.  
2             of the statutes; **relating to:** use of, and possession with intent to use, certain  
3             of drug paraphernalia and providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

Current law prohibits the use of, and the possession with intent to use, drug paraphernalia. A person who violates this prohibition may be imprisoned for not more than 30 days or fined not more than \$500 or both. If the paraphernalia is for making or storing methamphetamine, the person may be imprisoned for not more than six years or fined not more than \$10,000 or both.

This bill increases the penalty for a person using, or possessing with intent to use, drug paraphernalia related to methamphetamine, if the person is 18 years of age or older and possesses or uses the drug paraphernalia in the presence of a child who is 16 years of age or younger. In such a case, the person may be imprisoned for not more than ten years or fined not more than \$25,000 or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

