

SENATE BILL NO. 129

INTRODUCED BY J. ELLIOTT

A BILL FOR AN ACT ENTITLED: "AN ACT ADDING POSSESSION OF TOLUENE TO THE OFFENSE OF CRIMINAL POSSESSION OF PRECURSORS TO DANGEROUS DRUGS; DELETING THE REQUIREMENT THAT POSSESSION OF A MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT CONTAINS A PRECURSOR MAY BE AN OFFENSE; AND AMENDING SECTION 45-9-107, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 45-9-107, MCA, is amended to read:

"45-9-107. Criminal possession of precursors to dangerous drugs. (1) A person commits the offense of criminal possession of precursors to dangerous drugs if the person possesses any ~~material, compound, mixture, or preparation that contains any combination~~ of the following with intent to manufacture dangerous drugs:

- (a) phenyl-2-propanone (phenylacetone);
- (b) piperidine in conjunction with cyclohexanone;
- (c) ephedrine;
- (d) lead acetate;
- (e) methylamine;
- (f) methylformamide;
- (g) n-methylephedrine;
- (h) phenylpropanolamine;
- (i) pseudoephedrine;
- (j) anhydrous ammonia;
- (k) hydriodic acid;
- (l) red phosphorus;
- (m) iodine in conjunction with ephedrine, pseudoephedrine, or red phosphorus;
- (n) lithium in conjunction with anhydrous ammonia;
- (o) toluene.

1 (2) A person convicted of criminal possession of precursors to dangerous drugs shall be imprisoned
2 in the state prison for a term not less than 2 years or more than 20 years or be fined an amount not to exceed
3 \$50,000, or both."

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