

This Document can be made available in alternative formats upon request

Printed Page No. 429

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2789

03/12/2012 Authored by McDonald, Cornish, Kath, Kriesel, Fritz and others
The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance
03/19/2012 Adoption of Report: Pass and Read Second Time
04/18/2012 Calendar for the Day
Read Third Time
Passed by the House and transmitted to the Senate

1.1 A bill for an act
1.2 relating to public safety; amending the definitions of drug paraphernalia and
1.3 methamphetamine paraphernalia; amending Minnesota Statutes 2010, sections
1.4 152.01, subdivision 18; 152.137, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2010, section 152.01, subdivision 18, is amended to read:

1.7 Subd. 18. Drug paraphernalia. (a) Except as otherwise provided in paragraph (b),
1.8 "drug paraphernalia" means all equipment, products, and materials of any kind, except
1.9 those items used in conjunction with permitted uses of controlled substances under this
1.10 chapter or the Uniform Controlled Substances Act, which are knowingly or intentionally
1.11 used primarily in (1) manufacturing, packaging, selling, or buying a controlled substance,
1.12 (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a
1.13 controlled substance, (3) testing the strength, effectiveness, or purity of a controlled
1.14 substance, or (4) enhancing the effect of a controlled substance.

1.15 (b) "Drug paraphernalia" does not include the possession, manufacture, delivery, or
1.16 sale of hypodermic needles or syringes in accordance with section 151.40, subdivision 2.

1.17 EFFECTIVE DATE. This section is effective August 1, 2012, and applies to crimes
1.18 committed on or after that date.

1.19 Sec. 2. Minnesota Statutes 2010, section 152.137, subdivision 1, is amended to read:

1.20 Subdivision 1. Definitions. (a) As used in this section, the following terms have
1.21 the meanings given.

2.1 (b) "Chemical substance" means a substance intended to be used as a precursor in
2.2 the manufacture of methamphetamine or any other chemical intended to be used in the
2.3 manufacture of methamphetamine.

2.4 (c) "Child" means any person under the age of 18 years.

2.5 (d) "Methamphetamine paraphernalia" means all equipment, products, and materials
2.6 of any kind that are used, intended for use, or designed for use in manufacturing,
2.7 packaging, selling, or buying methamphetamine, or injecting, ingesting, inhaling, or
2.8 otherwise introducing methamphetamine into the human body.

2.9 (e) "Methamphetamine waste products" means substances, chemicals, or items of
2.10 any kind used in the manufacture of methamphetamine or any part of the manufacturing
2.11 process, or the by-products or degradates of manufacturing methamphetamine.

2.12 (f) "Vulnerable adult" has the meaning given in section 609.232, subdivision 11.

2.13 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to crimes
2.14 committed on or after that date.