

AMENDED IN ASSEMBLY JANUARY 14, 2000

AMENDED IN ASSEMBLY JANUARY 3, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 163

Introduced by Assembly Member Wayne

January 15, 1999

An act to add Section 11375.5 to the Health and Safety Code, relating to controlled substances.

LEGISLATIVE COUNSEL'S DIGEST

AB 163, as amended, Wayne. Clonazepam: unauthorized possession.

Existing law makes it a misdemeanor or a felony to possess for sale, or sell, the controlled substance clonazepam.

This bill would provide, in addition, that it is a misdemeanor to possess clonazepam, unless upon the prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice ~~in this state~~. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11375.5 is added to the Health
2 and Safety Code, to read:

3 11375.5. Except as otherwise provided in Section
4 11375, every person who possesses clonazepam, unless
5 upon the prescription of a physician, dentist, podiatrist, or
6 veterinarian licensed to practice ~~in this state~~, shall be
7 punished by imprisonment in a county jail for a period of
8 not more than one year.

9 SEC. 2. No reimbursement is required by this act
10 pursuant to Section 6 of Article XIII B of the California
11 Constitution because the only costs that may be incurred
12 by a local agency or school district will be incurred
13 because this act creates a new crime or infraction,
14 eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section
16 17556 of the Government Code, or changes the definition
17 of a crime within the meaning of Section 6 of Article
18 XIII B of the California Constitution.

