

AMENDMENT #29

OFFERED IN THE HOUSE

TO: CSHB 205(), Draft Version "H"

1 Page 14, line 30, through page 15, line 3:

2 Delete all material and insert:

3 "(1) [UNDER CIRCUMSTANCES NOT PROSCRIBED UNDER
4 AS 11.71.020(a)(2) - (6),] manufactures or delivers, [ANY AMOUNT OF A
5 SCHEDULE IIA OR IIIA CONTROLLED SUBSTANCE] or possesses [ANY
6 AMOUNT OF A SCHEDULE IIA OR IIIA CONTROLLED SUBSTANCE] with
7 intent to manufacture or deliver,

8 (A) one or more preparations, compounds, mixtures, or
9 substances of an aggregate weight of one gram or more containing a
10 schedule IA controlled substance;

11 (B) 25 or more tablets, ampules, or syrettes containing a
12 schedule IA controlled substance;

13 (C) one or more preparations, compounds, mixtures, or
14 substances of an aggregate weight of 2.5 grams or more containing a
15 schedule IIA or IIIA controlled substance; or

16 (D) 50 or more tablets, ampules, or syrettes containing a
17 schedule IIA or IIIA controlled substance;"

18

19 Page 19, line 20:

20 Delete "or"

21

22 Page 19, lines 21 - 23:

23 Delete all material and insert:

1 "(11) manufactures or delivers, or possesses with the intent to
 2 manufacture or deliver,

3 (A) one or more preparations, compounds, mixtures, or
 4 substances of an aggregate weight of less than one gram containing a
 5 schedule IA controlled substance;

6 (B) less than 25 tablets, ampules, or syrettes containing a
 7 schedule IA controlled substance;

8 (C) one or more preparations, compounds, mixtures, or
 9 substances of an aggregate weight of less than 2.5 grams containing a
 10 schedule IIA or IIIA controlled substance; or

11 (D) less than 50 tablets, ampules, or syrettes containing a
 12 schedule IIA or IIIA controlled substance; or

13 (12) violates AS 11.71.050(a)(4) and has been previously convicted
 14 two or more times in the preceding 10 years under AS 11.71.050(a)(4) or for an
 15 offense in another jurisdiction with similar elements."

16
 17 Page 48, line 21, through page 49, line 4:

18 Delete all material and insert:

19 "(n) A court sentencing a person convicted of misconduct involving a
 20 controlled substance in the fourth degree under AS 11.71.050(a)(4) or a person
 21 convicted of misconduct involving a controlled substance in the fifth degree under
 22 AS 11.71.060(a)(2) may impose

23 (1) a sentence of suspended imprisonment of not more than 30 days if
 24 the person has not been previously convicted within the preceding 10 years of an
 25 offense under AS 11.71 or a law of this or another jurisdiction with elements
 26 substantially similar to an offense under AS 11.71; or

27 (2) a sentence of active imprisonment of not more than 180 days if the
 28 person has been previously convicted within the preceding 10 years of an offense
 29 under AS 11.71 or a law of this or another jurisdiction with elements substantially
 30 similar to an offense under AS 11.71."