

**SENATE BILL NO. 66**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY SENATOR EGAN

Introduced: 2/27/13

Referred: Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to imitation controlled substances; and providing for an effective  
2 date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** AS 11.73.099(3) is amended to read:

5 (3) "imitation controlled substance" means a substance  
6 [CONTAINING EPHEDRINE, EPHEDRINE SULFATE, PSEUDOEPHEDRINE,  
7 PSEUDOEPHEDRINE HYDROCHLORIDE, PHENYLPROPANOLAMINE,  
8 CAFFEINE, THEOPHYLLINE, LIDOCAINE, PROCAINE, TETRACAINE,  
9 DYCLONINE, ACETAMINOPHEN, SALICYLAMIDE, DOXYLAMINE,  
10 DIPHENHYDRAMINE, PHENIRAMINE, CHLORPHENIRAMINE, OR  
11 PRYRILAMINE, OR THEIR SALTS,] that is not a controlled substance [,] and that,  
12 by dosage unit appearance (including color, shape, size, and markings) and by  
13 representations, would lead a reasonable person to believe that the substance is a  
14 controlled substance; the term "representations," ["REPRESENTATIONS",] as used

1 in this paragraph, includes

2 (A) statements made by an owner or by anyone else in control  
3 of the substance concerning the nature of the substance [,] or its use or effect;

4 (B) statements made to the recipient that the substance may be  
5 resold for inordinate profit;

6 (C) whether the substance is packaged in a manner normally  
7 used for controlled substances;

8 (D) evasive tactics or actions used by the owner or person in  
9 control of the substance to avoid detection by law enforcement authorities;

10 (E) the storage, packaging, presentation, display of, or  
11 reference to a controlled substance with, near, or in connection with the  
12 activity involving the imitation controlled substance;

13 \* **Sec. 2.** AS 11.73.020 is repealed.

14 \* **Sec. 3.** This Act takes effect July 1, 2013.