

1 IN THE HOUSE

BY ULMER AND SWACKHAMMER

2

HOUSE BILL NO. 498

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the delivery of controlled sub-  
7 stances and imitation controlled substances to mi-  
8 nors."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 \* Section 1. AS 11.71.010(a) is amended to read:

11 (a) Except as authorized in AS 17.30, a person commits the crime  
12 of misconduct involving a controlled substance in the first degree if  
13 the person

14 (1) delivers any amount of a schedule IA controlled sub-  
15 stance to a person under 21 [19] years of age who is at least three  
16 years younger than the person delivering the substance; [OR]

17 (2) delivers any amount of a schedule IIA or IIIA controlled  
18 substance to a person under 21 [19] years of age who is at least three  
19 years younger than the person delivering the substance; or

20 (3) engages in a continuing criminal enterprise.

21 \* Sec. 2. AS 11.71.030(a) is amended to read:

22 (a) Except as authorized in AS 17.30, a person commits the crime  
23 of misconduct involving a controlled substance in the third degree if  
24 the person

25 (1) manufactures or delivers any amount of a schedule IIA or  
26 IIIA controlled substance or possesses any amount of a schedule IIA or  
27 IIIA controlled substance with intent to manufacture or deliver;

28 (2) delivers any amount of a schedule IVA, VA, or VIA con-  
29 trolled substance to a person under 21 [19] years of age who is at

1 least three years younger than the person delivering the substance; or  
2 (3) being 18 years of age or older, possesses any amount of  
3 a schedule IA or IIA controlled substance within the grounds of or on  
4 a parking lot immediately adjacent to a public or private preschool,  
5 elementary, junior high, or secondary school.

6 \* Sec. 3. AS 11.73.030(a) is amended to read:

7 (a) Except as provided in AS 11.73.050, a person 21 [19] years of  
8 age or older may not deliver an imitation controlled substance to a  
9 person under 21 [19] years of age, who is at least three years younger  
10 than the person delivering the substance.