

Original sponsors: Menard, Larson,  
C.Davis, et al.

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 126 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act adding anabolic steroids and their related materials and substances to schedule VA of the schedule of controlled substances under the Criminal Code, and prescribing penalties for their possession."

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

11 \* Section 1. AS 11.71.040(a) is amended to read:

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

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(1) manufactures or delivers any amount of a schedule IVA or VA controlled substance or possesses any amount of a schedule IVA or VA controlled substance with intent to manufacture or deliver;

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(2) manufactures or delivers, or possesses with the intent to manufacture or deliver, one or more preparations, compounds, mixtures, or substances of an aggregate weight of one ounce or more containing a schedule VIA controlled substance;

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(3) possesses

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(A) any amount of a schedule IA or IIA controlled substance;

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(B) 25 or more tablets, ampules, or syrettes containing a schedule IIIA or IVA controlled substance;

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(C) one or more preparations, compounds, mixtures, or substances of an aggregate weight of three grams or more containing a schedule IIIA or IVA controlled substance;

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1 (D) 50 or more tablets, ampules, or syrettes contain-  
2 ing a schedule VA controlled substance, except a schedule VA  
3 controlled substance described in AS 11.71.180(d);

4 (E) one or more preparations, compounds, mixtures, or  
5 substances of an aggregate weight of six grams or more containing  
6 a schedule VA controlled substance, except a schedule VA control-  
7 led substance described in AS 11.71.180(d); or

8 (F) one or more preparations, compounds, mixtures, or  
9 substances of an aggregate weight of one pound or more containing  
10 a schedule VIA controlled substance;

11 (4) being 18 years of age or older, possesses a schedule  
12 IIIA, IVA, VA, or VIA controlled substance within the grounds of or on  
13 a parking lot immediately adjacent to a public or private preschool,  
14 elementary, junior high, or secondary school;

15 (5) knowingly keeps or maintains any store, shop, ware-  
16 house, dwelling, building, vehicle, boat, aircraft, or other structure  
17 or place which is used for keeping or distributing controlled sub-  
18 stances in violation of a felony offense under this chapter or AS 17.-  
19 30;

20 (6) makes, delivers, or possesses a punch, die, plate,  
21 stone, or other thing which prints, imprints, or reproduces a trade-  
22 mark, trade name, or other identifying mark, imprint, or device of  
23 another or any likeness of any of these upon a drug, drug container,  
24 or labeling so as to render the drug a counterfeit substance;

25 (7) knowingly uses in the course of the manufacture or  
26 distribution of a controlled substance a registration number which is  
27 fictitious, revoked, suspended, or issued to another person;

28 (8) knowingly furnishes false or fraudulent information in  
29 or omits material information from any application, report, record, or

1 other document required to be kept or filed under AS 17.30;

2 (9) obtains possession of a controlled substance by misrep-  
3 resentation, fraud, forgery, deception or subterfuge; or

4 (10) affixes a false or forged label to a package or other  
5 container containing any controlled substance.

6 \* Sec. 2. AS 11.71.050(a) is amended to read:

7 (a) Except as authorized in AS 17.30, a person commits the crime  
8 of misconduct involving a controlled substance in the fifth degree if  
9 the person

10 (1) manufactures or delivers, or possesses with the intent  
11 to manufacture or deliver, one or more preparations, compounds, mix-  
12 tures, or substances of an aggregate weight of one-half ounce or more  
13 containing a schedule VIA controlled substance;

14 (2) manufactures or delivers, or possesses with the intent  
15 to manufacture or deliver, one or more preparations, compounds, mix-  
16 tures, or substances of an aggregate weight of less than one-half  
17 ounce containing a schedule VIA controlled substance, for remunera-  
18 tion;

19 (3) possesses

20 (A) less than 25 tablets, ampules, or syrettes con-  
21 taining a schedule IIIA or IVA controlled substance;

22 (B) one or more preparations, compounds, mixtures, or  
23 substances of an aggregate weight of less than three grams con-  
24 taining a schedule IIIA or IVA controlled substance;

25 (C) less than 50 tablets, ampules, or syrettes con-  
26 taining a schedule VA controlled substance, except a schedule VA  
27 controlled substance described in AS 11.71.180(d);

28 (D) one or more preparations, compounds, mixtures, or  
29 substances of an aggregate weight of less than six grams

1 containing a schedule VA controlled substance, except a schedule  
2 VA controlled substance described in AS 11.71.180(d); [OR]

3 (E) any of the following:

4 (i) 200 or more tablets, ampules, or syrettes  
5 containing one or more preparations, compounds, mixtures, or  
6 substances of a schedule VA controlled substance described  
7 in AS 11.71.180(d);

8 (ii) one or more preparations, compounds, mix-  
9 tures, or substances of a schedule VA controlled substance  
10 described in AS 11.71.180(d) having an aggregate volume of  
11 16 cubic centimeters or more, if the controlled substance is  
12 in liquid form; or

13 (iii) one or more preparations, compounds, mix-  
14 tures, or substances of a schedule VA controlled substance  
15 described in AS 11.71.180(d) having an aggregate weight of  
16 six grams or more if the controlled substance is in a form  
17 that cannot be counted or is not in liquid form;

18 (F) one or more preparations, compounds, mixtures, or  
19 substances of an aggregate weight of one-half pound or more  
20 containing a schedule VIA controlled substance; or

21 (4) fails to make, keep, or furnish any record, notifica-  
22 tion, order form, statement, invoice, or information required under  
23 AS 17.30.

24 \* Sec. 3. AS 11.71.070(a) is amended to read:

25 (a) Except as authorized in AS 17.30, a person commits the  
26 offense of misconduct involving a controlled substance in the seventh  
27 degree if the person

28 (1) manufactures or delivers, or possesses with the intent  
29 to manufacture or deliver, one or more preparations, compounds, mix-

1 tures, or substances of an aggregate weight of less than one-half  
2 ounce of a schedule VIA controlled substance; [OR]

3 (2) possesses one or more preparations, compounds, mix-  
4 tures, or substances of an aggregate weight of less than one ounce  
5 containing a schedule VIA controlled substance on a public street or  
6 sidewalk or on the premises of a public carrier or business establish-  
7 ment or in any other public place; or

8 (3) possesses any of the following:

9 (A) less than 200 tablets, ampules, or syrettes  
10 containing one or more preparations, compounds, mixtures, or  
11 substances of a schedule VA controlled substance described in  
12 AS 11.71.180(d);

13 (B) one or more preparations, compounds, mixtures, or  
14 substances of a schedule VA controlled substance described in  
15 AS 11.71.180(d) having less than an aggregate volume of 16 cubic  
16 centimeters, if the controlled substance is in liquid form; or

17 (C) one or more preparations, compounds, mixtures, or  
18 substances of a schedule VA controlled substance described in  
19 AS 11.71.180(d) having less than an aggregate weight of six grams  
20 if the controlled substance is in a form that cannot be counted  
21 or is not in liquid form.

22 \* Sec. 4. AS 11.71.180 is amended by adding new subsections to read:

23 (d) Schedule VA includes any material, compound, mixture, or  
24 preparation that contains any quantity of anabolic steroids, including  
25 their isomers, esters, ethers, salts, and salts of isomers, esters,  
26 and ethers.

27 (e) In (d) of this section, "anabolic steroid" includes

- 28 (1) androisoxazole;  
29 (2) androstenediol;

- 1 (3) bolandiol;
- 2 (4) bolasterone;
- 3 (5) boldenone;
- 4 (6) chlormethandienone;
- 5 (7) clostebol;
- 6 (8) dihydromesterone;
- 7 (9) ethylestrenol;
- 8 (10) fluoxymesterone;
- 9 (11) formyldienolone;
- 10 (12) 4-hydroxy-19-nortestosterone;
- 11 (13) mesterolone;
- 12 (14) methandriol;
- 13 (15) methandrostenolone;
- 14 (16) methenolone;
- 15 (17) 17-methyltestosterone;
- 16 (18) methyltrienolone;
- 17 (19) nandrolone;
- 18 (20) norbolethone;
- 19 (21) norethandrolone;
- 20 (22) normethandrolone;
- 21 (23) oxandrolone;
- 22 (24) oxymesterone;
- 23 (25) oxymetholone;
- 24 (26) quinbolone;
- 25 (27) stanolone;
- 26 (28) stanozolol;
- 27 (29) stenbolone;
- 28 (30) testosterone;
- 29 (31) toxandroprione;

- 1 (32) trenbolone; and  
2 (33) any other material, compound, mixture, or preparation  
3 having pronounced anabolic properties and relatively weak androgenic  
4 properties that is used clinically principally to promote growth and  
5 repair of body tissues.