# HOUSE BILL NO. 275

#### INTRODUCED BY STRIZICH

#### IN THE HOUSE

JANUARY 19, 1991

JANUARY 21, 1991

FIRST READING.

ON JUDICIARY.

FEBRUARY 19, 1991 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

FEBRUARY 20, 1991 PRINTING REPORT.

FEBRUARY 21, 1991 POSTED ON CONSENT CALENDAR.

FEBRUARY 22, 1991 CONSENT CALENDAR, QUESTIONS AND ANSWERS.

FEBRUARY 23, 1991 THIRD READING, PASSED. AYES, 94; NOES, 3.

TRANSMITTED TO SENATE.

#### IN THE SENATE

FEBRUARY 25, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.

INTRODUCED AND REFERRED TO COMMITTEE

FIRST READING.

MARCH 7, 1991

MARCH 11, 1991

MARCH 12, 1991

THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 13, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 1049/01

House BILL NO. 275 1 INTRODUCED BY 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT IN 5 ADDITION TO OR INSTEAD OF A PRISON TERM FOR FRAUDULENTLY 6 OBTAINING DANGEROUS DRUGS, A CONVICTED PERSON MAY BE FINED 7 AN AMOUNT NOT TO EXCEED \$50,000; AND AMENDING SECTION 8 45-9-106, MCA." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 45-9-106, MCA, is amended to read: 12 "45-9-106. Penalty for fraudulently obtaining dangerous drugs or altering the labels of dangerous drugs. (1) A 13 14 person convicted of altering labels on dangerous drugs shall 15 be imprisoned in the county jail for a term not to exceed 6 16 months. (2) A person convicted of fraudulently obtaining 17 dangerous drugs included in Schedule I, Schedule II, 18 19 Schedule III, Schedule IV, or Schedule V in 50-32-222, 20 50-32-224, 50-32-226, 50-32-229, or 50-32-232 shall: 21 (a) upon his first conviction be imprisoned in the 22 state prison for a term of not less than 1 year or not more 23 than 5 years or fined an amount not to exceed \$50,000, or 24 both;

25 (b) upon his second conviction be imprisoned in the



- LC 1049/01
- 1 state prison for a term of not less than 5 years or not more
- 2 than 10 years or fined an amount not to exceed \$50,000, or

3 both."

-End-

-2-

# INTRODUCED BILL HS 275

# STATE OF MONTANA - FISCAL NOTE Form BD-15 In compliance with a written request, there is hereby submitted a Fiscal Note for <u>HB0275</u>, <u>as introduced</u>.

# DESCRIPTION OF PROPOSED LEGISLATION:

The bill would provide for a fine of up to \$50,000 in addition to, or instead of, a prison term for a conviction for fraudulently obtaining dangerous drugs.

### ASSUMPTIONS:

1. All felony fines are district court revenue which remain with the county.

## FISCAL IMPACT:

None.

### EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

County revenue may increase as a result of this bill but the amount is not subject to reasonable estimate.

ROD SUNDSTED, BUDGET DIRECTOR DATE Office of Budget and Program Planning

(BILL) STRIZICH, PRIMARY SPONSOR WILL S. DATE Fiscal Note for HB0275, as introduced 275 HB

#### 52nd Legislature

# LC 1049/01 APPROVED BY COMMITTEE ON JUDICIARY

1 INTRODUCED BY House BILL NO. 275

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT IN 5 ADDITION TO OR INSTEAD OF A PRISON TERM FOR FRAUDULENTLY 6 OBTAINING DANGEROUS DRUGS, A CONVICTED PERSON MAY BE FINED 7 AN AMOUNT NOT TO EXCEED \$50,000; AND AMENDING SECTION 8 45-9-106, MCA."

9

3

**10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:** 

11 Section 1. Section 45-9-106, MCA, is amended to read:

12 "45-9-106. Penalty for fraudulently obtaining dangerous
13 drugs or altering the labels of dangerous drugs. (1) A
14 person convicted of altering labels on dangerous drugs shall
15 be imprisoned in the county jail for a term not to exceed 6
16 months.

17 (2) A person convicted of fraudulently obtaining
18 dangerous drugs included in Schedule I, Schedule II,
19 Schedule III, Schedule IV, or Schedule V in 50-32-222,
20 50-32-224, 50-32-226, 50-32-229, or 50-32-232 shall:

(a) upon his first conviction be imprisoned in the
state prison for a term of not less than 1 year or not more
than 5 years or fined an amount not to exceed \$50,000, or
both;

25 (b) upon his second conviction be imprisoned in the



LC 1049/01

- 1 state prison for a term of not less than 5 years or not more
- 2 than 10 years or fined an amount not to exceed \$50,000, or

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-End-

SECOND READING

HB 275 -2-

LC 1049/01

Hause BILL NO. 275 1 INTRODUCED BY 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT IN ADDITION TO OR INSTEAD OF A PRISON TERM FOR FRAUDULENTLY 5 OBTAINING DANGEROUS DRUGS, A CONVICTED PERSON MAY BE FINED 6 7 AN AMOUNT NOT TO EXCEED \$50,000; AND AMENDING SECTION 8 45-9-106, MCA." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 45-9-106, MCA, is amended to read: 12 \*45-9-106. Penalty for fraudulently obtaining dangerous

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LC 1049/01

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-End-

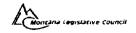
THIRD READING HB 275

-2-

HB 0275/02

1	HOUSE BILL NO. 275
2	INTRODUCED BY STRIZICH
3	
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5	ADDITION TO OR INSTEAD OF A PRISON TERM FOR FRAUDULENTLY
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8	45-9-106, MCA."
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18	dangerous drugs included in Schedule I, Schedule II,
19	Schedule III, Schedule IV, or Schedule V in 50-32-222,
20	50-32-224, 50-32-226, 50-32-229, or 50-32-232 shall:
21	(a) upon his first conviction be imprisoned in the
22	state prison for a term of not less than 1 year or not more
23	than 5 years or fined an amount not to exceed \$50,000, or
24	both;
25	(b) upon his second conviction be imprisoned in the

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1 state prison for a term of not less than 5 years or not more

- than 10 years or fined an amount not to exceed \$50,000, or 2
- 3 both."

-End-

-2-

HB 275 REFERENCE BILL