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*House* BILL NO. *586*

INTRODUCED BY *Burton M. Mark* *Herlanis*

*Starguilla Smith Hubery*

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A PENALTY FOR CRIMINAL POSSESSION OF MARIJUANA WITH INTENT TO SELL."

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

Section 1. There is a new R.C.M. section numbered 54-133.1 that reads as follows:

54-133.1. Criminal possession with intent to sell. (1)

A person commits the offense of criminal possession with intent to sell if he possesses one (1) pound or more of marijuana.

(2) A person convicted of criminal possession with

intent to sell shall be imprisoned in the state prison for a term of not less than one (1) year and not more than twenty

(20) years.

-End-

Approved by Committee  
on Judiciary

1 HOUSE BILL NO. 586

2 INTRODUCED BY BABCOCK, MARKS, HERLEVI, STAIGMILLER, SMITH,

3 HUBING

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A PENALTY  
6 FOR CRIMINAL POSSESSION OF MARIJUANA WITH INTENT TO SELL."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. There is a new R.C.M. section numbered  
10 54-133.1 that reads as follows:

11 54-133.1. Criminal possession with intent to sell. (1)

12 A person commits the offense of criminal possession with  
13 intent to sell if he possesses ~~one- $\frac{1}{2}$ -pound~~ WITH INTENT TO  
14 SELL ONE KILOGRAM or more of marijuana.

15 (2) A person convicted of criminal possession with  
16 intent to sell shall be imprisoned in the state prison for a  
17 term of ~~not-less-than-one- $\frac{1}{2}$ -year-and~~ not more than twenty  
18 (20) years.

-End-

1                   HOUSE BILL NO. 586  
2     INTRODUCED BY BABCOCK, MARKS, HERLEVI, STAIGMILLER, SMITH,  
3                   HUBING  
4  
5     A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A PENALTY  
6     FOR CRIMINAL POSSESSION OF MARIJUANA WITH INTENT TO SELL."  
7  
8     BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
9             Section 1. There is a new R.C.M. section numbered  
10    54-133.1 that reads as follows:  
11             54-133.1. Criminal possession with intent to sell. (1)  
12    A person commits the offense of criminal possession with  
13    intent to sell if he possesses ~~one- $\frac{1}{2}$ -pound~~ WITH INTENT TO  
14    SELL ONE KILOGRAM or more of marijuana.  
15             (2) A person convicted of criminal possession with  
16    intent to sell shall be imprisoned in the state prison for a  
17    term of ~~not-less-than-one- $\frac{1}{2}$ -year-and~~ not more than twenty  
18    (20) years.

-End-

March 18, 1975

SENATE COMMITTEE ON JUDICIARY

AMENDMENTS TO HOUSE BILL NO. 586

That House Bill No. 586, third reading, be amended as follows:

1. Amend page 1, section 1, lines 13 and 14.  
Following: "pound"  
Strike: "WITH INTENT TO SELL"

1                   HOUSE BILL NO. 586  
2     INTRODUCED BY BABCOCK, MARKS, HERLEVI, STAIGMILLER, SMITH,  
3                   HUBING  
4  
5     A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A PENALTY  
6     FOR CRIMINAL POSSESSION OF MARIJUANA WITH INTENT TO SELL."  
7  
8     BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
9         Section 1. There is a new R.C.M. section numbered  
10     54-133.1 that reads as follows:  
11         54-133.1. Criminal possession with intent to sell. (1)  
12     A person commits the offense of criminal possession with  
13     intent to sell if he possesses ~~one (1) pound WITH INTENT TO~~  
14     ~~SELL~~ ONE KILOGRAM or more of marijuana.  
15         (2) A person convicted of criminal possession with  
16     intent to sell shall be imprisoned in the state prison for a  
17     term of ~~not less than one (1) year and~~ not more than twenty  
18     (20) years.

-End-

REFERENCE BILL