

1 House BILL NO. 587  
 2 INTRODUCED BY Mark Robert Herlwin  
 3 Strigulla Smith Heiberg  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING THE OFFENSE OF  
 5 CRIMINAL CULTIVATION OF MARIJUANA; PROVIDING A PENALTY OF UP  
 6 TO TWENTY-FIVE YEARS OF IMPRISONMENT; AMENDING SECTION  
 7 54-132, R.C.M. 1947."

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

10 Section 1. Section 54-132, R.C.M. 1947, is amended to  
11 read as follows:

12 "54-132. Criminal sale of dangerous drugs. (a) A  
13 person commits the offense of a criminal sale of dangerous  
14 drugs if he sells, barter, exchanges, gives away, or offers  
15 to sell, barter, exchange or give away, manufactures,  
16 prepares, ~~cultivates~~ compounds or processes any dangerous  
17 drug as defined in this-act section 54-301.

18 (b) A person convicted of criminal sale of dangerous  
19 drugs shall be imprisoned in the state prison for a term not  
20 less than one (1) year nor more than life.

21 (c) Practitioners and agents under their supervision  
22 acting in the course of a professional practice are exempt  
23 from this section."

24 Section 2. There is a new R.C.M. section numbered  
25 54-132.1 that reads as follows:

1 54-132.1. Criminal cultivation of marijuana.  
 2 (1) Each person who plants, cultivates, harvests, dries or  
 3 processes any marijuana as defined in section 54-301, R.C.M.  
 4 1947, or any part thereof, commits the offense of criminal  
 5 cultivation of marijuana.  
 6 (2) A person convicted of criminal cultivation of  
 7 marijuana shall be imprisoned in the state prison for a term  
 8 not less than one (1) year nor more than twenty-five (25)  
 9 years.

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