

HOUSE BILL NO. 110

INTRODUCED BY PAVLOVICH, DAILY, QUILICI,  
BARRINGTON, KEYSER, GOULD, KANDUCH, MENAHAN

IN THE HOUSE

January 7, 1981	Introduced and referred to Committee on Judiciary.
January 16, 1981	Committee recommend bill do pass as amended. Report adopted.
January 19, 1981	Bill printed and placed on members' desks.
January 20, 1981	Second reading, do pass.
January 21, 1981	Correctly engrossed.
	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 22, 1981	Introduced and referred to Committee on Judiciary.
March 16, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 18, 1981	Second reading, concurred in.
March 20, 1981	Third reading, concurred in as amended. Ayes, 48; Noses, 0.

IN THE HOUSE

March 21, 1981	Returned from Senate with amendments.
April 7, 1981	Second reading, amendments concurred in.

April 7, 1981

On motion, rules suspended  
and bill placed on third  
reading this day.

Third reading, amendments  
concurred in. Ayes, 95;  
Nays, 0. Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 110

2 INTRODUCED BY *Patricia Day Dulcey Humphrey*  
3 *Rep. of Mandan Member*

4 A BILL FOR AN ACT ENTITLED: "AN ACT SETTING PENALTIES FOR  
5 FRAUDULENTLY OBTAINING DANGEROUS DRUGS; AMENDING SECTION  
6 45-9-106, MCA."

7

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

9 Section 1. Section 45-9-106, MCA, is amended to read:  
10 "45-9-106. Penalty for fraudulently obtaining dangerous  
11 drugs or altering the labels of dangerous drugs. (1) A  
12 person convicted of fraudulently obtaining dangerous drugs  
13 included in Schedule I in 50-32-222 or altering labels on  
14 dangerous drugs shall be imprisoned in the county jail for a  
15 term not to exceed 6 months.

16 (2) A person convicted of fraudulently obtaining  
17 dangerous drugs included in Schedule II, Schedule III,  
18 Schedule IV, or Schedule V in 50-32-224, 50-32-226,  
19 50-32-228, or 50-32-232 shall:

20 (a) upon his first conviction be imprisoned in the  
21 state prison for a term of not less than 1 year or not more  
22 than 5 years;

23 (b) upon his second conviction, be imprisoned in the  
24 state prison for a term of 5 years."

-End-

INTRODUCED BILL

*HB 110*

Approved by Committee  
on Judiciary

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

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

11 "45-9-106. Penalty for fraudulently obtaining

12 dangerous drugs or altering the labels of dangerous drugs.

13 III A person convicted of ~~fraudulently-obtaining-dangerous~~

14 ~~drugs included in schedule I in 50-32-222~~ or altering labels

15 on dangerous drugs shall be imprisoned in the county jail

16 for a term not to exceed 6 months.

17        (2) A person convicted of fraudulently obtaining  
18 dangerous drugs included in SCHEDULE I, Schedule III,  
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;  
24            (b) upon his second conviction be imprisoned in the  
25 state prison for a term of 5 years."

-End-

SECOND READING

HB 110

HOUSE BILL NO. 110

INTRODUCED BY PAVLOVICH, DAILY, QUILICI,  
HARRINGTON, KEYSER, GOULD, KANDUCH, MENAHAN

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT SETTING PENALTIES FOR  
6 FRAUDULENTLY OBTAINING DANGEROUS DRUGS; AMENDING SECTION  
7 45-9-106. MCA."\*

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

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

11       "45-9-106. Penalty for fraudulently obtaining

12       dangerous drugs or altering the labels of dangerous drugs.

13       111 A person convicted of ~~fraudulently-obtaining-dangerous~~

14       drugs ~~included-in-Schedule-I-in-58-32-222~~ or altering labels

15       on dangerous drugs shall be imprisoned in the county jail

16       for a term not to exceed 6 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, 50-32-228, or 50-32-223 shall:

11       if upon his first conviction be imprisoned in the  
12       state prison for a term of not less than 1 year or not more  
13       than 5 years;

24       if he upon his second conviction be imprisoned in the  
25       state prison for a term of 5 years."

-End-

### THIRD READING

HB 110

5 A BILL FOR AN ACT ENTITLED: "AN ACT SETTING PENALTIES FOR  
6 FRAUDULENTLY OBTAINING DANGEROUS DRUGS; AMENDING SECTION  
7 45-9-106, MCA."

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

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

11           "45-9-106. Penalty for fraudulently obtaining

12 dangerous drugs or altering the labels of dangerous drugs

13 (1) A person convicted of ~~fraudulently-obtaining-dangerous~~

14 ~~drugs included in Schedule I in 50-32-222~~ or altering labels

15 on dangerous drugs shall be imprisoned in the county jail

16 for a term not to exceed 6 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:

21        if 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;

1 THAN 10 YEARS."

-End-

March 16, 1981

SENATE STANDING COMMITTEE REPORT  
(Judiciary)

That House Bill No. 110 be amended as follows:

1. Page 1, line 25.

Following: "of"

Insert: "not less than"

Following: "years"

Insert: "or not more than 10 years"