

HOUSE BILL NO. 110

INTRODUCED BY PAVLOVICH, DAILY, QUILICI,
HARRINGTON, 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 concurrred in as amended. Report adopted.
March 18, 1981	Second reading, concurrred in.
March 20, 1981	Third reading, concurrred in as amended. Ayes, 48; Noes, 0.

IN THE HOUSE

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

April 7, 1981

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

Third reading, amendments
concurrent in. Ayes, 95;
Noes, 0. Sent to enrolling.

Reported correctly enrolled.

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HOUSE BILL NO. 110
Robert D. Sullivan
Raymond J. Randoch Merch

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

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

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

~~(2) A person convicted of fraudulently obtaining
dangerous drugs included in Schedule II, Schedule III,
Schedule IV, or Schedule V in 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;~~

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

-End-

INTRODUCED BILL
HB 110

Approved by Committee
on Judiciary

1 HOUSE BILL NO. 110
 2 INTRODUCED BY PAVLOVICH, DAILY, QUILICI,
 3 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."

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 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 ~~(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

A BILL FOR AN ACT ENTITLED: "AN ACT SETTING PENALTIES FOR
FRAUDULENTLY OBTAINING DANGEROUS DRUGS; AMENDING SECTION
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dangerous drugs or altering the labels of dangerous drugs.
(1) A person convicted of ~~fraudulently-obtaining-dangerous~~
~~drugs included-in-schedule-i-in-50-32-222~~ or altering labels
on dangerous drugs shall be imprisoned in the county jail
for a term not to exceed 6 months.

~~(2) A person convicted of fraudulently obtaining~~
~~dangerous drugs included in SCHEDULE I, Schedule II,~~
~~Schedule III, Schedule IV, or Schedule V in 50-32-222,~~
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~~state prison for a term of not less than 1 year or not more~~
~~than 5 years;~~

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~~state prison for a term of 5 years."~~

-End-

THIRD READING

HB 110

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 2 INTRODUCED BY PAVLOVICH, DAILY, QUILICI,
 3 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

1 THAN 10 YEARS."

-End-

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

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 12 dangerous drugs or altering the labels of dangerous drugs.
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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 NOT LESS THAN 5 years OR NOT MORE~~

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"