

Sixty-fifth
Legislative Assembly
of North Dakota

Introduced by

(_____)

A BILL for an Act to repeal sections 19-03.1-22.3 and 19-03.1-22.5 of the North Dakota Century Code relating to the ingestion of controlled substances and controlled substances analogs.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. REPEAL. Sections 19-03.1-22.3 and 19-03.1-22.5 of the North Dakota Century Code are repealed.

ALTERNATIVE DRAFT

A BILL for an Act to amend section 19-03.1-22.3 and subsection 1 of section 19-03.1-22.5 of the North Dakota Century Code relating to the ingestion of controlled substances and controlled substances analogs.

SECTION 1. AMENDMENT. Section 19-03.1-22.3 of the North Dakota Century Code is amended and reenacted as follows:

A person who intentionally ingests, inhales, or otherwise takes into the body a controlled substance, unless the substance was obtained directly from a practitioner or pursuant to a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, is guilty of a ~~class A misdemeanor~~ an infraction. The venue for a violation of this section exists in either the jurisdiction in which the controlled substance was ingested, inhaled, or otherwise taken into the body or the jurisdiction in which the controlled substance was detected in the body of the accused.

SECTION 2. AMENDMENT. Subsection 1 of section 19-03.1-22.5 of the North Dakota Century Code is amended and reenacted as follows:

The use of controlled substance analog includes the ingestion, inhalation, absorption, or any other method of taking the controlled substance analog into the body. An individual who intentionally uses a controlled substance analog is guilty of a ~~class C felony~~ A misdemeanor, unless the individual obtains the analog directly from a practitioner or pursuant to a valid prescription or order of a practitioner.