

Introduced by

Senators Grabinger, Armstrong, Axness

Representatives Oversen, Schatz, Toman

1 A BILL for an Act to amend and reenact section 19-03.4-03 of the North Dakota Century Code,
2 relating to drug paraphernalia; and to provide a penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 19-03.4-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **19-03.4-03. Unlawful possession of drug paraphernalia - Penalty.**

7 1. A person may not use or possess with intent to use drug paraphernalia to plant,
8 propagate, cultivate, grow, harvest, ~~manufacture,~~ compound, convert, produce,
9 process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest,
10 inhale, or otherwise introduce into the human body a controlled substance in violation
11 of chapter 19-03.1. Any person violating this section is guilty of a ~~class C felony if the~~
12 ~~drug paraphernalia is used, or possessed with intent to be used, to manufacture,~~
13 ~~compound, convert, produce, process, prepare, test, inject, ingest, inhale, or analyze a~~
14 ~~controlled substance, other than marijuana, classified in schedule I, II, or III of chapter~~
15 ~~19-03.1. Otherwise, a violation of this section is a class A misdemeanor.~~

16 2. A person may not use or possess with the intent to use drug paraphernalia to
17 manufacture a controlled substance in violation of chapter 19-03.1. A person violating
18 this subsection is guilty of a class C felony.