1	HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR HOUSE BILL 144
2	49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009
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10	AN ACT
11	RELATING TO CONTROLLED SUBSTANCES; PROHIBITING THE SALE OR
12	DISTRIBUTION OF SALVIA DIVINORUM TO A MINOR; PROHIBITING
13	PROCUREMENT OF SALVIA DIVINORUM BY A MINOR; PROVIDING
14	PENALTIES.
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16	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
17	Section 1. A new section of the Controlled Substances Act
18	is enacted to read:
19	"[<u>NEW MATERIAL</u>] SALVIA DIVINORUMDISTRIBUTION AND
20	PROCUREMENT PROHIBITED
21	A. A person shall not knowingly and intentionally
22	sell, give, deliver, transfer or distribute Salvia divinorum to
23	a minor. A person who violates this subsection is guilty of a
24	misdemeanor and shall be sentenced pursuant to the provisions
25	of Section 31-19-1 NMSA 1978.
	.177947.1

<u>underscored material = new</u> [bracketed material] = delete HCPAC/HB 144

1	B. A minor shall not knowingly procure or attempt
2	to procure Salvia divinorum for the minor's own use or for use
3	by another minor. A minor who violates this subsection is
4	guilty of a petty misdemeanor and, notwithstanding the
5	provisions of Section 31-19-1 NMSA 1978, shall be punished by a
6	fine not to exceed one hundred dollars (\$100) or forty-eight
7	hours of community service.
8	C. As used in this section, "minor" means a person
9	who is less than eighteen years of age."
10	Section 2. EFFECTIVE DATEThe effective date of the
11	provisions of this act is July 1, 2009.
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