

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 356

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

George K. Munoz

AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING THE CONTROLLED  
SUBSTANCES ACT TO DELETE THE REQUIREMENT THAT CERTAIN  
REGISTRATIONS NEED TO BE OBTAINED ANNUALLY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-31-12 NMSA 1978 (being Laws 1972,  
Chapter 84, Section 12, as amended) is amended to read:

"30-31-12. REGISTRATION REQUIREMENTS.--

A. [~~Every~~] A person who manufactures, distributes  
or dispenses [~~any~~] a controlled substance or who proposes to  
engage in the manufacture, distribution or dispensing of [~~any~~]  
a controlled substance shall obtain [~~annually~~] a registration  
issued by the board in accordance with its regulations.

B. Persons registered by the board to manufacture,  
distribute, dispense or conduct research with controlled

underscoring material = new  
[bracketed material] = delete

1 substances may possess, manufacture, distribute, dispense,  
2 prescribe or conduct research with those substances to the  
3 extent authorized by their registration and in conformity with  
4 the other provisions of the Controlled Substances Act.

5 C. The following persons need not register and may  
6 lawfully possess controlled substances:

7 (1) an agent of ~~[any]~~ a registered  
8 manufacturer, distributor or dispenser of ~~[any]~~ a controlled  
9 substance if ~~[he]~~ the agent is acting in the usual course of  
10 ~~[his]~~ the agent's principal's business or employment;

11 (2) a common or contract carrier or  
12 warehouseman, or an employee whose possession of ~~[any]~~ a  
13 controlled substance is in the usual course of the common or  
14 contract carrier or warehouseman's business; or

15 (3) an ultimate user.

16 D. The board may waive by regulation the  
17 requirement for registration of certain manufacturers,  
18 distributors or dispensers if it is consistent with the public  
19 health and safety.

20 E. The board may inspect the establishment of a  
21 registrant or applicant for registration in accordance with the  
22 board's regulations."

23 Section 2. EFFECTIVE DATE.--The effective date of the  
24 provisions of this act is July 1, 2009.

25 .175189.1