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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

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A N A C T

RELATING TO FOOD AND DRUGS - UNIFORM CONTROLLED SUBSTANCES ACT

Introduced By: Representatives DaSilva, Edwards, Guthrie, Azzinaro, and Petrarca

Date Introduced: February 03, 2011

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 21-28-4.11 of the General Laws in Chapter 21-28 entitled "Uniform  
2   Controlled Substances Act" is hereby amended to read as follows:

3           **21-28-4.11. Second offenses.** -- (A) Any person convicted of a second offense under this  
4   chapter may be imprisoned for a term up to twice the term authorized, fined an amount up to  
5   twice that authorized, or both. Provided, however, in the case of possession of marijuana a person  
6   convicted of a second offense shall be guilty of a misdemeanor.

7           (B) For purposes of this section, an offense is considered a second offense if, prior to his  
8   or her conviction of the offense, the offender has at any time been convicted under this chapter or  
9   under any statute of the United States or of any state relating to narcotic drugs, marijuana,  
10   depressant, stimulant, or hallucinogenic drugs.

11          SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO FOOD AND DRUGS - UNIFORM CONTROLLED SUBSTANCES ACT

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- 1 This act would treat a second offense of possession of marijuana as a misdemeanor.
- 2 This act would take effect upon passage.

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