HOUSE BILL NO. HB0137

Controlled substances-disposal.

Sponsored by: Representative(s) Brown and Senator(s)
Nicholas, P.

A BILL

for

1 AN ACT relating to controlled substances; authorizing the 2 collection of a decedent's controlled substances for

3 disposal as specified; providing an exemption from

4 prosecution for possession of controlled substances for

5 disposal as specified; requiring compliance with federal

6 law; modifying immunity provision accordingly; and

7 providing for an effective date.

8

9 Be It Enacted by the Legislature of the State of Wyoming:

10

11 **Section 1.** W.S. 2-1-501 is created to read:

12

13 ARTICLE 5

14 DISPOSAL OF PROPERTY

15

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1	2-1-501. Disposal of controlled substances.
2	
3	A person is authorized to collect any controlled substances
4	of the decedent for purposes of disposal in accordance with
5	21 C.F.R. part 1317.30 and 21 C.F.R. part 1317.35.
6	
7	Section 2. W.S. 35-7-1063, 35-7-1603(c)(intro) and
8	35-7-1605(a) are amended to read:
9	
10	35-7-1063. Exceptions to provisions.
11	
12	(a) The provisions and penalties of this chapter
13	shall not apply to:
14	
15	(i) The medical use of hemp extract when used in
16	accordance with the provisions of W.S. 35-7-1901 through
17	35-7-1903 <u>;</u> -
18	
19	(ii) Persons in possession of any controlled
20	substances for purposes of disposal in accordance with 21
21	C.F.R. part 1317.30 and 21 C.F.R. part 1317.35.
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1	35-7-1603. Drug donation, redispensing and disposal
2	program established; minimum requirements.
3	
4	(c) To the extent authorized by applicable federal
5	<pre>law, the drug drop off and disposal program shall have the</pre>
6	following features:
7	
8	35-7-1605. Participant immunity.
9	
10	(a) In the absence of bad faith, any person who
11	participates in donating, accepting, distributing or
12	dispensing drugs under this act and in accordance with
13	federal law shall be immune from civil or criminal
14	liability or professional disciplinary action of any kind
15	for any related injury, death or loss. No person, in the
16	absence of bad faith, shall be liable for the bad faith of
17	another relating to the provisions of this act.
18	
19	Section 3. This act is effective July 1, 2016.
20	
21	(END)

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