

ORIGINAL HOUSE
BILL NO. HB0137

ENROLLED ACT NO. 35, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

AN ACT relating to controlled substances; authorizing the collection of a decedent's controlled substances for disposal as specified; providing an exemption from prosecution for possession of controlled substances for disposal as specified; requiring compliance with federal law; modifying immunity provision accordingly; and providing for an effective date.

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

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

ARTICLE 5
DISPOSAL OF PROPERTY

2-1-501. Disposal of controlled substances.

A person is authorized to collect any controlled substances of the decedent for purposes of disposal in accordance with 21 C.F.R. part 1317.30 and 21 C.F.R. part 1317.35.

Section 2. W.S. 35-7-1063, 35-7-1603(c) (intro) and 35-7-1605(a) are amended to read:

35-7-1063. Exceptions to provisions.

(a) The provisions and penalties of this chapter shall not apply to:

(i) The medical use of hemp extract when used in accordance with the provisions of W.S. 35-7-1901 through 35-7-1903;

(ii) Persons in possession of any controlled substances for purposes of disposal in accordance with 21 C.F.R. part 1317.30 and 21 C.F.R. part 1317.35.

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35-7-1603. Drug donation, redispensing and disposal program established; minimum requirements.

(c) To the extent authorized by applicable federal law, the drug drop off and disposal program shall have the following features:

35-7-1605. Participant immunity.

(a) In the absence of bad faith, any person who participates in donating, accepting, distributing or dispensing drugs under this act and in accordance with federal law shall be immune from civil or criminal liability or professional disciplinary action of any kind for any related injury, death or loss. No person, in the absence of bad faith, shall be liable for the bad faith of another relating to the provisions of this act.

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Section 3. This act is effective July 1, 2016.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk