

HB 1427 -- CONTROLLED SUBSTANCES

SPONSOR: Portwood

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Crime Prevention and Public Safety by a vote of 17 to 0.

This bill repeals obsolete provisions regarding the seizure of controlled substances. The bill repeals provisions that:

- (1) Require law enforcement agencies to notify the United States Commissioner of Narcotics when seized drugs have been destroyed;
- (2) Allow law enforcement to deliver seized drugs to public hospitals that apply for them; and
- (3) Allow the Department of Health and Senior Services, when revoking the registration of a drug manufacturer or distributor, to place the controlled substances under seal and eventually sell them.

FISCAL NOTE: No impact on state funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say that the bill merely repeals obsolete language in two statutes regarding the disposal of controlled substances seized by law enforcement. The statute refers to the United States Commission on Narcotics which no longer exists. The disposal of controlled substances seized by law enforcement is now handled at the local level, not through federal authorities. The bill also repeals the obsolete provision that allows seized drugs to be sold after an order by the court, because this is now prohibited by federal law.

Testifying for the bill were Representative Portwood; and Bureau of Narcotics and Dangerous Drugs.

OPPOSERS: There was no opposition voiced to the committee.

Richard Smreker, Senior Legislative Analyst