



# HOUSE BILL 659: Controlled Substances/Update Precursor List

2015-2016 General Assembly

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<b>Committee:</b>	House Judiciary III	<b>Date:</b>	April 21, 2015
<b>Introduced by:</b>	Reps. Horn, Jackson	<b>Prepared by:</b>	Janice Paul
<b>Analysis of:</b>	First Edition		Committee Counsel

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**SUMMARY:** *House Bill 659 would update the list of methamphetamine precursor chemicals, and clarify what constitutes certain drug offenses involving methamphetamine.*

**CURRENT LAW:** The offense of Possession of Pseudoephedrine after Methamphetamine Conviction, G.S. 90-95(d1)(1)(c), was enacted by Section 1 of Session Law 2013-124. "Immediate precursor" is defined in G.S. 90-87(14) as a substance which the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services "has found to be and by regulation designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit such manufacture."

## BILL ANALYSIS:

**Section 1** would make possession of a pseudoephedrine product a crime if the defendant has a prior conviction in any United States jurisdiction for specified methamphetamine-related offenses, and would update the list of the immediate methamphetamine precursor chemicals.

**Section 2** would authorize the Joint Legislative Commission on Justice and Public Safety to study the authority of state agencies to schedule controlled substances without legislative action and establish the related procedure.

**EFFECTIVE DATE:** This act becomes effective December 1, 2015, and applies to offenses committed on or after that date.

**BACKGROUND:** The House Select Committee on Methamphetamine Abuse was established by the Speaker of the House in September 2011. The Committee's report to the 2013 General Assembly can be found at: <http://www.ncleg.net/gascripts/DocumentSites/browseDocSite.asp?nID=152>

A link to the current Legislative Commission on Methamphetamine Abuse can be found at: [http://ncleg.net/gascripts/Committees/Committees.asp?sAction=ViewCommittee&sActionDetails=Non-Standing\\_6273](http://ncleg.net/gascripts/Committees/Committees.asp?sAction=ViewCommittee&sActionDetails=Non-Standing_6273)

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