

**LOST**

1 Senator Jackson of the 50th offered the following amendment:

2 Amend the House substitute to SB 205 by striking line 2 of page 1 and inserting in lieu  
3 thereof the following:

4 "offenses, so as to provide enhanced penalties and requirements for persons involved with  
5 or property involved with substances used in connection with manufacturing  
6 methamphetamine; to provide for an increased criminal penalty with respect to the theft of".

7 By inserting at the end of line 6 of page 1 the following:

8 "the offense of unlawful endangerment of property; to provide for enhanced penalties for  
9 theft or attempt or conspiracy to commit the theft of anhydrous ammonia; to provide for  
10 penalties for unlawfully providing materials for production of controlled substances; to  
11 change certain provisions regarding definitions; to provide for".

12 By inserting at the end of line 14 of page 1 the following:

13 "amended by adding a new Code section to the end of Part 1 of Article 2 of Chapter 7,  
14 relating to general provisions relative to criminal trespass and damage to property, to read  
15 as follows:

16 '16-7-30.

17 (a) A person commits the crime of unlawful endangerment of property if, while engaged  
18 in or as a part of the enterprise for the production of a controlled substance as defined in  
19 paragraph (4) of Code Section 16-13-21, the person protects or attempts to protect the  
20 production of the controlled substance by creating, setting up, building, erecting, or using  
21 any device or weapon which causes or is intended to cause damage to the property of, or  
22 injury to, another person.

23 (b) A person convicted of the offense of unlawful endangerment of property shall be  
24 punished by imprisonment for not less than one nor more than seven years, unless there is  
25 physical injury to a person in which case the person shall be punished by imprisonment for  
26 not less than one nor more than ten years.'

27 **SECTION 2.**

28 Said title is further".

29 By striking line 26 of page 3 and inserting in lieu thereof the following:

**"SECTION 3.**

Said title is further amended by striking the word 'or' at the end of subparagraph (a)(5)(B) of Code Section 16-8-12, relating to penalties for certain violations involving theft; by striking the period at the end of paragraph (6) of subsection (a) of such Code section and inserting in lieu thereof a semicolon; and by inserting immediately following paragraph (6) of subsection (a) of such Code section the following:

'(7) If the property that was the subject of the theft is any controlled substance as defined by paragraph (4) of Code Section 16-13-21, anhydrous ammonia, or ammonium nitrate, by imprisonment for not less than one nor more than seven years. An attempt or conspiracy to commit a theft of any controlled substance, anhydrous ammonia, or ammonium nitrate shall be punished as provided in Code Section 16-13-33;

(8) If the property that was the subject of the theft has a value of less than \$500.00 and was taken with the intent to use the material to manufacture, compound, produce, prepare, test, or analyze amphetamine or methamphetamine or any or their analogs, by imprisonment for not less than one nor more than five years; or

(9) If the property that was the subject of the theft is any amount of anhydrous ammonia taken by appropriation of a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank, or field applicator, by imprisonment of not less than one nor more than 20 years.'

**SECTION 4."**

By striking the number "3" on line 16 of page 4 and inserting in lieu thereof the number "5".

By redesignating Sections 6 and 7 as Sections 8 and 9, respectively.

By striking line 1 of page 6 and inserting in lieu thereof the following:

**"SECTION 6.**

Said title is further amended by inserting new Code sections after Code Section 16-13-30.2, relating to unlawful manufacture, distribution, or possession with the intent to distribute of imitation controlled substances, to read as follows:

'16-13-30.3.

(a) No person shall provide any reagents, solvents, or precursor materials used in the production of a controlled substance as defined in paragraph (1) of subsection (a) of Code Section 16-13-1 to any other person knowing that the person to whom such materials are provided intends to use the materials for the illegal production of a controlled substance.

1 (b) Any person who violates subsection (a) of this Code section shall be guilty of a felony  
2 and, upon conviction thereof, shall be punished by imprisonment for not less than one nor  
3 more than five years.

4 16-13-30.4.

5 (a) It is unlawful for any person to possess any methamphetamine precursor drug with the  
6 intent to manufacture amphetamine or methamphetamine or any of their analogs.

7 (b) Possession of more than 24 grams of any methamphetamine precursor drug or  
8 combination of methamphetamine precursor drugs shall be prima facie evidence of intent  
9 to violate this Code section. This subsection shall not apply to any practitioner or to any  
10 product possessed in the course of a legitimate business.

11 (c) Any person who violates subsection (a) of this Code section shall be guilty of a felony  
12 and, upon conviction thereof, shall be punished by imprisonment for not less than one nor  
13 more than five years.'

14 **SECTION 7."**