

Senate Bill 295

By: Senator Bulloch of the 11th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to regulation of controlled substances, so as to prohibit certain conduct relative to  
3 the active chemical ingredient in the hallucinogenic plant *Salvia divinorum* A; to provide for  
4 exceptions; to provide punishment for violations; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to  
9 regulation of controlled substances, is amended by adding a new Code section to read as  
10 follows:

11 "16-13-30.6.

12 (a) It shall be unlawful to knowingly produce, manufacture, distribute, possess, or possess  
13 with intent to produce, manufacture, or distribute the active chemical ingredient in the  
14 hallucinogenic plant *Salvia divinorum* A.

15 (b) The provisions of subsection (a) of this Code section shall not apply to the possession,  
16 planting, cultivation, growing, or harvesting of such hallucinogenic plant strictly for  
17 aesthetic, landscaping, or decorative purposes.

18 (c) The provisions of subsection (a) of this Code section shall not apply to any dosage  
19 form which is legally obtainable from a retail establishment without a prescription and is  
20 recognized by the Federal Food and Drug Administration as a homeopathic drug.

21 (d) A violation of this Code section shall be a misdemeanor."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.