

## SENATE BILL No. 213

By Committee on Judiciary

2-7

9 AN ACT concerning controlled substances; relating to drug parapher-  
10 nalia; definition; amending K.S.A. 65-4150 and repealing the existing  
11 section.

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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 65-4150 is hereby amended to read as follows: 65-  
15 4150. As used in this act:

16 (a) "Controlled substance" means any drug, substance or immediate  
17 precursor included in any of the schedules designated in K.S.A. 65-4105,  
18 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

19 (b) "Deliver" or "delivery" means actual, constructive or attempted  
20 transfer from one person to another, whether or not there is an agency  
21 relationship.

22 (c) "Drug paraphernalia" means all equipment, ~~products~~ and mate-  
23 rials of any kind which are used or intended for use in planting, propa-  
24 gating, cultivating, growing, harvesting, manufacturing, compounding,  
25 converting, producing, processing, preparing, testing, analyzing, packag-  
26 ing, repackaging, storing, containing, concealing, injecting, ingesting, in-  
27 haling or otherwise introducing into the human body a controlled sub-  
28 stance in violation of the uniform controlled substances act. "Drug  
29 paraphernalia" shall include, but is not limited to:

30 (1) Kits used or intended for use in planting, propagating, cultivating,  
31 growing or harvesting any species of plant which is a controlled substance  
32 or from which a controlled substance can be derived.

33 (2) Kits used or intended for use in manufacturing, compounding,  
34 converting, producing, processing or preparing controlled substances.

35 (3) Isomerization devices used or intended for use in increasing the  
36 potency of any species of plant which is a controlled substance.

37 (4) Testing equipment used or intended for use in identifying or in  
38 analyzing the strength, effectiveness or purity of controlled substances.

39 (5) Scales and balances used or intended for use in weighing or meas-  
40 uring controlled substances.

41 (6) Diluents and adulterants, such as quinine hydrochloride, manni-  
42 tol, mannite, dextrose and lactose, which are used or intended for use in  
43 cutting controlled substances.

- 1 (7) Separation gins and sifters used or intended for use in removing  
2 twigs and seeds from or otherwise cleaning or refining marihuana.
- 3 (8) Blenders, bowls, containers, spoons and mixing devices used or  
4 intended for use in compounding controlled substances.
- 5 (9) Capsules, balloons, envelopes and other containers used or in-  
6 tended for use in packaging small quantities of controlled substances.
- 7 (10) Containers and other objects used or intended for use in storing  
8 or concealing controlled substances.
- 9 (11) Hypodermic syringes, needles and other objects used or in-  
10 tended for use in parenterally injecting controlled substances into the  
11 human body.
- 12 (12) Objects used or intended for use in ingesting, inhaling or oth-  
13 erwise introducing marihuana, cocaine, hashish, or hashish oil into the  
14 human body, such as:
- 15 (A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with  
16 or without screens, permanent screens, hashish heads or punctured metal  
17 bowls;
- 18 (B) water pipes;
- 19 (C) carburetion tubes and devices;
- 20 (D) smoking and carburetion masks;
- 21 (E) roach clips (objects used to hold burning material, such as a mar-  
22 ihuana cigarette, that has become too small or too short to be held in the  
23 hand);
- 24 (F) miniature cocaine spoons and cocaine vials;
- 25 (G) chamber pipes;
- 26 (H) carburetor pipes;
- 27 (I) electric pipes;
- 28 (J) air-driven pipes;
- 29 (K) chillums;
- 30 (L) bongs; and
- 31 (M) ice pipes or chillers.
- 32 (d) "Person" means any individual, corporation, government or gov-  
33 ernmental subdivision or agency, business trust, estate, trust, partnership,  
34 association or other legal entity.
- 35 (e) "Simulated controlled substance" means any product which iden-  
36 tifies itself by a common name or slang term associated with a controlled  
37 substance and which indicates on its label or accompanying promotional  
38 material that the product simulates the effect of a controlled substance.
- 39 Sec. 2. K.S.A. 65-4150 is hereby repealed.
- 40 Sec. 3. This act shall take effect and be in force from and after its  
41 publication in the statute book.