

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred House Bill No.
3 225 entitled “An act relating to possession of a therapeutic dosage of
4 buprenorphine” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. INTENT

8 It is the intent of the General Assembly to decriminalize possession of
9 224 milligrams or less of buprenorphine. Persons under 21 years of age in
10 possession of 224 milligrams or less of buprenorphine would be referred to the
11 Court Diversion Program for the purpose of enrollment in the Youth Substance
12 Awareness Safety Program. Persons under 16 years of age in possession of
13 224 milligrams or less of buprenorphine would be subject to delinquency
14 proceedings in the Family Division of the Superior Court. Knowing and
15 unlawful possession of more than 224 milligrams of buprenorphine would
16 continue to be criminal and penalized in the same manner as other narcotics
17 pursuant to 18 V.S.A. § 4234.

18 Sec. 2. 18 V.S.A. § 4234 is amended to read:

19 § 4234. DEPRESSANT, STIMULANT, AND NARCOTIC DRUGS

20 (a) Possession.

1 (1)(A) ~~A~~ Except as provided by subdivision (B) of this subdivision (1), a
2 person knowingly and unlawfully possessing a depressant, stimulant, or
3 narcotic drug, other than heroin or cocaine, shall be imprisoned not more than
4 one year or fined not more than \$2,000.00, or both.

5 (B) A person knowingly and unlawfully possessing less than
6 224 milligrams of buprenorphine shall not be punished in accordance with
7 subdivision (A) of this subdivision (1).

8 * * *

9 (c) Possession of buprenorphine by a person under 21 years of age.

10 (1) A person under 21 years of age who knowingly and unlawfully
11 possesses 224 milligrams or less of buprenorphine commits a civil violation
12 and shall be subject to the provisions of section 4230b of this title.

13 (2) A person under 16 years of age who knowingly and unlawfully
14 possesses 224 milligrams or less of buprenorphine commits a delinquent act
15 and shall be subject to the provisions of section 4230j of this title.

16 Sec. 3. EFFECTIVE DATE

17 This act shall take effect on July 1, 2021.

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4 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE