

SESSION OF 2002

**CONFERENCE COMMITTEE REPORT  
SENATE SUBSTITUTE FOR HOUSE BILL NO. 2075**

As Agreed to May , 2002

**Brief \***

Senate Sub. for HB 2075 expands the crime of arson to cover damage to any building or property done accidentally by means of fire or explosion as a result of manufacturing or attempting to manufacture a controlled substance. The crime is a level 7 person felony.

In addition, the bill expands the crime of possession or sale of certain chemicals with the intent to manufacture a controlled substance to add red phosphorous, lithium metal, sodium metal, iodine, anhydrous ammonia, and pressurized ammonia, to the current list that can be used for the manufacture of methamphetamines.

The bill also expands the crime related to unlawful possession of anhydrous ammonia in an improper container to include pressurized ammonia.

**Background**

The Senate Committee deleted provisions of 2001 HB 2075 dealing with fingerprinting of juveniles, the concept of which was enacted in 2001, and provided instead for a substitute bill dealing with methamphetamine manufacture. The change incorporated most of the provisions of 2001 SB 515 (expansion of arson and expansion of possession or sale of chemicals used to manufacture methamphetamines) and 2001 SB 612 (dealing with forfeiture moneys, the Methamphetamine Enforcement Fund, and grants to local units).

In addition to the final features of the bill as set out above, the Senate substitute bill also amended the drug forfeiture law to provide 20 percent of any remaining proceeds (after moneys have been

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distributed according to the statutory order of priority) shall be credited to the Methamphetamine Enforcement Fund created by the bill and further, the bill provided that the Criminal Justice Coordinating Council shall develop and administer a grant program to award grants to local units of government, in areas of the state in which a high incidence of methamphetamine manufacture, possession, and sale occur, to supplement the high costs of methamphetamine enforcement. The grants would have been awarded with emphasis on local units faced with a disproportionate share of methamphetamine illegal activity and a disparate effect on the finances of the local unit. Grant moneys would be expended for methamphetamine enforcement and prevention of this illegal activity.

**Conference Committee Action.** The House acceded to all Senate amendments to the bill and the Conference Committee further agreed to strike the provisions regarding forfeiture distributions as well as the amendments to the duties of the Criminal Justice Coordinating Council.