

**SENATE AMENDMENT NO. \_\_\_\_\_**

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend \_\_\_\_\_ SCS/Senate Bill No. 6, Page 1, Section A, Line 4,

2 by inserting immediately after said line the following:

3 "195.010. The following words and phrases as used in this  
4 chapter and chapter 579, unless the context otherwise requires,  
5 mean:

6 (1) "Acute pain", pain, whether resulting from disease,  
7 accidental or intentional trauma, or other causes, that the  
8 practitioner reasonably expects to last only a short period of  
9 time. Acute pain shall not include chronic pain, pain being  
10 treated as part of cancer care, hospice or other end-of-life  
11 care, or medication-assisted treatment for substance use  
12 disorders;

13 (2) "Addict", a person who habitually uses one or more  
14 controlled substances to such an extent as to create a tolerance  
15 for such drugs, and who does not have a medical need for such  
16 drugs, or who is so far addicted to the use of such drugs as to  
17 have lost the power of self-control with reference to his or her  
18 addiction;

19 (3) "Administer", to apply a controlled substance, whether  
20 by injection, inhalation, ingestion, or any other means, directly  
21 to the body of a patient or research subject by:

22 (a) A practitioner (or, in his or her presence, by his or  
23 her authorized agent); or

1 (b) The patient or research subject at the direction and in  
2 the presence of the practitioner;

3 (4) "Agent", an authorized person who acts on behalf of or  
4 at the direction of a manufacturer, distributor, or dispenser.  
5 The term does not include a common or contract carrier, public  
6 warehouseman, or employee of the carrier or warehouseman while  
7 acting in the usual and lawful course of the carrier's or  
8 warehouseman's business;

9 (5) "Attorney for the state", any prosecuting attorney,  
10 circuit attorney, or attorney general authorized to investigate,  
11 commence and prosecute an action under this chapter;

12 (6) "Controlled substance", a drug, substance, or immediate  
13 precursor in Schedules I through V listed in this chapter and not  
14 including medical marijuana pursuant to article XIV of the  
15 Missouri Constitution;

16 (7) "Controlled substance analogue", a substance the  
17 chemical structure of which is substantially similar to the  
18 chemical structure of a controlled substance in Schedule I or II  
19 and:

20 (a) Which has a stimulant, depressant, or hallucinogenic  
21 effect on the central nervous system substantially similar to the  
22 stimulant, depressant, or hallucinogenic effect on the central  
23 nervous system of a controlled substance included in Schedule I  
24 or II; or

25 (b) With respect to a particular individual, which that  
26 individual represents or intends to have a stimulant, depressant,  
27 or hallucinogenic effect on the central nervous system  
28 substantially similar to the stimulant, depressant, or  
29 hallucinogenic effect on the central nervous system of a

1 controlled substance included in Schedule I or II. The term does  
2 not include a controlled substance; any substance for which there  
3 is an approved new drug application; any substance for which an  
4 exemption is in effect for investigational use, for a particular  
5 person, under Section 505 of the federal Food, Drug and Cosmetic  
6 Act (21 U.S.C. Section 355) to the extent conduct with respect to  
7 the substance is pursuant to the exemption; or any substance to  
8 the extent not intended for human consumption before such an  
9 exemption takes effect with respect to the substance;

10 (8) "Counterfeit substance", a controlled substance which,  
11 or the container or labeling of which, without authorization,  
12 bears the trademark, trade name, or other identifying mark,  
13 imprint, number or device, or any likeness thereof, of a  
14 manufacturer, distributor, or dispenser other than the person who  
15 in fact manufactured, distributed, or dispensed the substance;

16 (9) "Deliver" or "delivery", the actual, constructive, or  
17 attempted transfer from one person to another of drug  
18 paraphernalia or of a controlled substance, or an imitation  
19 controlled substance, whether or not there is an agency  
20 relationship, and includes a sale;

21 (10) "Dentist", a person authorized by law to practice  
22 dentistry in this state;

23 (11) "Depressant or stimulant substance":

24 (a) A drug containing any quantity of barbituric acid or  
25 any of the salts of barbituric acid or any derivative of  
26 barbituric acid which has been designated by the United States  
27 Secretary of Health and Human Services as habit forming under 21  
28 U.S.C. Section 352(d);

29 (b) A drug containing any quantity of:

1 a. Amphetamine or any of its isomers;

2 b. Any salt of amphetamine or any salt of an isomer of  
3 amphetamine; or

4 c. Any substance the United States Attorney General, after  
5 investigation, has found to be, and by regulation designated as,  
6 habit forming because of its stimulant effect on the central  
7 nervous system;

8 (c) Lysergic acid diethylamide; or

9 (d) Any drug containing any quantity of a substance that  
10 the United States Attorney General, after investigation, has  
11 found to have, and by regulation designated as having, a  
12 potential for abuse because of its depressant or stimulant effect  
13 on the central nervous system or its hallucinogenic effect;

14 (12) "Dispense", to deliver a narcotic or controlled  
15 dangerous drug to an ultimate user or research subject by or  
16 pursuant to the lawful order of a practitioner including the  
17 prescribing, administering, packaging, labeling, or compounding  
18 necessary to prepare the substance for such delivery.

19 "Dispenser" means a practitioner who dispenses;

20 (13) "Distribute", to deliver other than by administering  
21 or dispensing a controlled substance;

22 (14) "Distributor", a person who distributes;

23 (15) "Drug":

24 (a) Substances recognized as drugs in the official United  
25 States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the  
26 United States, or Official National Formulary, or any supplement  
27 to any of them;

28 (b) Substances intended for use in the diagnosis, cure,  
29 mitigation, treatment or prevention of disease in humans or

1 animals;

2 (c) Substances, other than food, intended to affect the  
3 structure or any function of the body of humans or animals; and

4 (d) Substances intended for use as a component of any  
5 article specified in this subdivision. It does not include  
6 devices or their components, parts or accessories;

7 (16) "Drug-dependent person", a person who is using a  
8 controlled substance and who is in a state of psychic or physical  
9 dependence, or both, arising from the use of such substance on a  
10 continuous basis. Drug dependence is characterized by behavioral  
11 and other responses which include a strong compulsion to take the  
12 substance on a continuous basis in order to experience its  
13 psychic effects or to avoid the discomfort caused by its absence;

14 (17) "Drug enforcement agency", the Drug Enforcement  
15 Administration in the United States Department of Justice, or its  
16 successor agency;

17 (18) "Drug paraphernalia", all equipment, products,  
18 substances and materials of any kind which are used, intended for  
19 use, or designed for use, in planting, propagating, cultivating,  
20 growing, harvesting, manufacturing, compounding, converting,  
21 producing, processing, preparing, storing, containing,  
22 concealing, injecting, ingesting, inhaling, or otherwise  
23 introducing into the human body a controlled substance or an  
24 imitation controlled substance in violation of this chapter or  
25 chapter 579. It includes, but is not limited to:

26 (a) Kits used, intended for use, or designed for use in  
27 planting, propagating, cultivating, growing or harvesting of any  
28 species of plant which is a controlled substance or from which a  
29 controlled substance can be derived;

1           (b) Kits used, intended for use, or designed for use in  
2 manufacturing, compounding, converting, producing, processing, or  
3 preparing controlled substances or imitation controlled  
4 substances;

5           (c) Isomerization devices used, intended for use, or  
6 designed for use in increasing the potency of any species of  
7 plant which is a controlled substance or an imitation controlled  
8 substance;

9           (d) Testing equipment used, intended for use, or designed  
10 for use in identifying, or in analyzing the strength,  
11 effectiveness or purity of controlled substances or imitation  
12 controlled substances;

13           (e) Scales and balances used, intended for use, or designed  
14 for use in weighing or measuring controlled substances or  
15 imitation controlled substances;

16           (f) Dilutents and adulterants, such as quinine  
17 hydrochloride, mannitol, mannite, dextrose and lactose, used,  
18 intended for use, or designed for use in cutting controlled  
19 substances or imitation controlled substances;

20           (g) Separation gins and sifters used, intended for use, or  
21 designed for use in removing twigs and seeds from, or in  
22 otherwise cleaning or refining, marijuana;

23           (h) Blenders, bowls, containers, spoons and mixing devices  
24 used, intended for use, or designed for use in compounding  
25 controlled substances or imitation controlled substances;

26           (i) Capsules, balloons, envelopes and other containers  
27 used, intended for use, or designed for use in packaging small  
28 quantities of controlled substances or imitation controlled  
29 substances;

1 (j) Containers and other objects used, intended for use, or  
2 designed for use in storing or concealing controlled substances  
3 or imitation controlled substances;

4 (k) Hypodermic syringes, needles and other objects used,  
5 intended for use, or designed for use in parenterally injecting  
6 controlled substances or imitation controlled substances into the  
7 human body;

8 (l) Objects used, intended for use, or designed for use in  
9 ingesting, inhaling, or otherwise introducing marijuana, cocaine,  
10 hashish, or hashish oil into the human body, such as:

11 a. Metal, wooden, acrylic, glass, stone, plastic, or  
12 ceramic pipes with or without screens, permanent screens, hashish  
13 heads, or punctured metal bowls;

14 b. Water pipes;

15 c. Carburetion tubes and devices;

16 d. Smoking and carburetion masks;

17 e. Roach clips meaning objects used to hold burning  
18 material, such as a marijuana cigarette, that has become too  
19 small or too short to be held in the hand;

20 f. Miniature cocaine spoons and cocaine vials;

21 g. Chamber pipes;

22 h. Carburetor pipes;

23 i. Electric pipes;

24 j. Air-driven pipes;

25 k. Chillums;

26 l. Bongs;

27 m. Ice pipes or chillers;

28 (m) Substances used, intended for use, or designed for use  
29 in the manufacture of a controlled substance.

1 In determining whether an object, product, substance or material  
2 is drug paraphernalia, a court or other authority should  
3 consider, in addition to all other logically relevant factors,  
4 the following:

5 a. Statements by an owner or by anyone in control of the  
6 object concerning its use;

7 b. Prior convictions, if any, of an owner, or of anyone in  
8 control of the object, under any state or federal law relating to  
9 any controlled substance or imitation controlled substance;

10 c. The proximity of the object, in time and space, to a  
11 direct violation of this chapter or chapter 579;

12 d. The proximity of the object to controlled substances or  
13 imitation controlled substances;

14 e. The existence of any residue of controlled substances or  
15 imitation controlled substances on the object;

16 f. Direct or circumstantial evidence of the intent of an  
17 owner, or of anyone in control of the object, to deliver it to  
18 persons who he or she knows, or should reasonably know, intend to  
19 use the object to facilitate a violation of this chapter or  
20 chapter 579; the innocence of an owner, or of anyone in control  
21 of the object, as to direct violation of this chapter or chapter  
22 579 shall not prevent a finding that the object is intended for  
23 use, or designed for use as drug paraphernalia;

24 g. Instructions, oral or written, provided with the object  
25 concerning its use;

26 h. Descriptive materials accompanying the object which  
27 explain or depict its use;

28 i. National or local advertising concerning its use;

29 j. The manner in which the object is displayed for sale;



1 k. Whether the owner, or anyone in control of the object,  
2 is a legitimate supplier of like or related items to the  
3 community, such as a licensed distributor or dealer of tobacco  
4 products;

5 l. Direct or circumstantial evidence of the ratio of sales  
6 of the object to the total sales of the business enterprise;

7 m. The existence and scope of legitimate uses for the  
8 object in the community;

9 n. Expert testimony concerning its use;

10 o. The quantity, form or packaging of the product,  
11 substance or material in relation to the quantity, form or  
12 packaging associated with any legitimate use for the product,  
13 substance or material;

14 (19) "Federal narcotic laws", the laws of the United States  
15 relating to controlled substances;

16 (20) "Hospital", a place devoted primarily to the  
17 maintenance and operation of facilities for the diagnosis,  
18 treatment or care, for not less than twenty-four hours in any  
19 week, of three or more nonrelated individuals suffering from  
20 illness, disease, injury, deformity or other abnormal physical  
21 conditions; or a place devoted primarily to provide, for not less  
22 than twenty-four consecutive hours in any week, medical or  
23 nursing care for three or more nonrelated individuals. The term  
24 hospital does not include convalescent, nursing, shelter or  
25 boarding homes as defined in chapter 198;

26 (21) "Illegal industrial hemp":

27 (a) All nonseed parts and varieties of the Cannabis sativa  
28 L. plant, growing or not, that contain an average delta-9  
29 tetrahydrocannabinol (THC) concentration exceeding three-tenths

1 of one percent on a dry weight basis;

2 (b) Illegal industrial hemp shall be destroyed in the most  
3 effective manner possible, and such destruction shall be verified  
4 by the Missouri state highway patrol;

5 (22) "Immediate precursor", a substance which:

6 (a) The state department of health and senior services has  
7 found to be and by rule designates as being the principal  
8 compound commonly used or produced primarily for use in the  
9 manufacture of a controlled substance;

10 (b) Is an immediate chemical intermediary used or likely to  
11 be used in the manufacture of a controlled substance; and

12 (c) The control of which is necessary to prevent, curtail  
13 or limit the manufacture of the controlled substance;

14 (23) "Imitation controlled substance", a substance that is  
15 not a controlled substance, which by dosage unit appearance  
16 (including color, shape, size and markings), or by  
17 representations made, would lead a reasonable person to believe  
18 that the substance is a controlled substance. In determining  
19 whether the substance is an imitation controlled substance the  
20 court or authority concerned should consider, in addition to all  
21 other logically relevant factors, the following:

22 (a) Whether the substance was approved by the federal Food  
23 and Drug Administration for over-the-counter (nonprescription or  
24 nonlegend) sales and was sold in the federal Food and Drug  
25 Administration-approved package, with the federal Food and Drug  
26 Administration-approved labeling information;

27 (b) Statements made by an owner or by anyone else in  
28 control of the substance concerning the nature of the substance,  
29 or its use or effect;

1 (c) Whether the substance is packaged in a manner normally  
2 used for illicit controlled substances;

3 (d) Prior convictions, if any, of an owner, or anyone in  
4 control of the object, under state or federal law related to  
5 controlled substances or fraud;

6 (e) The proximity of the substances to controlled  
7 substances;

8 (f) Whether the consideration tendered in exchange for the  
9 noncontrolled substance substantially exceeds the reasonable  
10 value of the substance considering the actual chemical  
11 composition of the substance and, where applicable, the price at  
12 which over-the-counter substances of like chemical composition  
13 sell. An imitation controlled substance does not include a  
14 placebo or registered investigational drug either of which was  
15 manufactured, distributed, possessed or delivered in the ordinary  
16 course of professional practice or research;

17 (24) "Industrial hemp":

18 (a) All nonseed parts and varieties of the Cannabis sativa  
19 L. plant, growing or not, that contain an average delta-9  
20 tetrahydrocannabinol (THC) concentration that does not exceed  
21 three-tenths of one percent on a dry weight basis or the maximum  
22 concentration allowed under federal law, whichever is greater;

23 (b) Any Cannabis sativa L. seed that is part of a growing  
24 crop, retained by a grower for future planting, or used for  
25 processing into or use as agricultural hemp seed;

26 (c) Industrial hemp includes industrial hemp commodities  
27 and products and topical or ingestible animal and consumer  
28 products derived from industrial hemp with a delta-9  
29 tetrahydrocannabinol concentration of not more than three-tenths

1 of one percent on a dry weight basis;

2 (25) "Initial prescription", a prescription issued to a  
3 patient who has never previously been issued a prescription for  
4 the drug or its pharmaceutical equivalent or who was previously  
5 issued a prescription for the drug or its pharmaceutical  
6 equivalent, but the date on which the current prescription is  
7 being issued is more than five months after the date the patient  
8 last used or was administered the drug or its equivalent;

9 (26) "Laboratory", a laboratory approved by the department  
10 of health and senior services as proper to be entrusted with the  
11 custody of controlled substances but does not include a  
12 pharmacist who compounds controlled substances to be sold or  
13 dispensed on prescriptions;

14 (27) "Manufacture", the production, preparation,  
15 propagation, compounding or processing of drug paraphernalia or  
16 of a controlled substance, or an imitation controlled substance,  
17 either directly or by extraction from substances of natural  
18 origin, or independently by means of chemical synthesis, or by a  
19 combination of extraction and chemical synthesis, and includes  
20 any packaging or repackaging of the substance or labeling or  
21 relabeling of its container. This term does not include the  
22 preparation or compounding of a controlled substance or an  
23 imitation controlled substance or the preparation, compounding,  
24 packaging or labeling of a narcotic or dangerous drug:

25 (a) By a practitioner as an incident to his or her  
26 administering or dispensing of a controlled substance or an  
27 imitation controlled substance in the course of his or her  
28 professional practice; or

29 (b) By a practitioner or his or her authorized agent under

1 his or her supervision, for the purpose of, or as an incident to,  
2 research, teaching or chemical analysis and not for sale;

3 (28) "Marijuana", all parts of the plant genus Cannabis in  
4 any species or form thereof, including, but not limited to  
5 Cannabis Sativa L., except industrial hemp, Cannabis Indica,  
6 Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea,  
7 whether growing or not, the seeds thereof, the resin extracted  
8 from any part of the plant; and every compound, manufacture,  
9 salt, derivative, mixture, or preparation of the plant, its seeds  
10 or resin. It does not include the mature stalks of the plant,  
11 fiber produced from the stalks, oil or cake made from the seeds  
12 of the plant, any other compound, manufacture, salt, derivative,  
13 mixture or preparation of the mature stalks (except the resin  
14 extracted therefrom), fiber, oil or cake, or the sterilized seed  
15 of the plant which is incapable of germination;

16 (29) "Methamphetamine precursor drug", any drug containing  
17 ephedrine, pseudoephedrine, phenylpropanolamine, or any of their  
18 salts, optical isomers, or salts of optical isomers;

19 (30) "Narcotic drug", any of the following, whether  
20 produced directly or indirectly by extraction from substances of  
21 vegetable origin, or independently by means of chemical  
22 synthesis, or by a combination of extraction and chemical  
23 analysis:

24 (a) Opium, opiate, and any derivative, of opium or opiate,  
25 including their isomers, esters, ethers, salts, and salts of  
26 isomers, esters, and ethers, whenever the existence of the  
27 isomers, esters, ethers, and salts is possible within the  
28 specific chemical designation. The term does not include the  
29 isoquinoline alkaloids of opium;

1           (b) Coca leaves, but not including extracts of coca leaves  
2 from which cocaine, ecgonine, and derivatives of ecgonine or  
3 their salts have been removed;

4           (c) Cocaine or any salt, isomer, or salt of isomer thereof;

5           (d) Ecgonine, or any derivative, salt, isomer, or salt of  
6 isomer thereof;

7           (e) Any compound, mixture, or preparation containing any  
8 quantity of any substance referred to in paragraphs (a) to (d) of  
9 this subdivision;

10          (31) "Official written order", an order written on a form  
11 provided for that purpose by the United States Commissioner of  
12 Narcotics, under any laws of the United States making provision  
13 therefor, if such order forms are authorized and required by  
14 federal law, and if no such order form is provided, then on an  
15 official form provided for that purpose by the department of  
16 health and senior services;

17          (32) "Opiate" or "opioid", any substance having an  
18 addiction-forming or addiction-sustaining liability similar to  
19 morphine or being capable of conversion into a drug having  
20 addiction-forming or addiction-sustaining liability. The term  
21 includes its racemic and levorotatory forms. It does not  
22 include, unless specifically controlled under section 195.017,  
23 the dextrorotatory isomer of 3-methoxy-n-methyl-morphinan and its  
24 salts (dextromethorphan);

25          (33) "Opium poppy", the plant of the species *Papaver*  
26 *somniferum* L., except its seeds;

27          (34) "Over-the-counter sale", a retail sale licensed  
28 pursuant to chapter 144 of a drug other than a controlled  
29 substance;

1           (35) "Person", an individual, corporation, government or  
2 governmental subdivision or agency, business trust, estate,  
3 trust, partnership, joint venture, association, or any other  
4 legal or commercial entity;

5           (36) "Pharmacist", a licensed pharmacist as defined by the  
6 laws of this state, and where the context so requires, the owner  
7 of a store or other place of business where controlled substances  
8 are compounded or dispensed by a licensed pharmacist; but nothing  
9 in this chapter shall be construed as conferring on a person who  
10 is not registered nor licensed as a pharmacist any authority,  
11 right or privilege that is not granted to him by the pharmacy  
12 laws of this state;

13           (37) "Poppy straw", all parts, except the seeds, of the  
14 opium poppy, after mowing;

15           (38) "Possessed" or "possessing a controlled substance", a  
16 person, with the knowledge of the presence and nature of a  
17 substance, has actual or constructive possession of the  
18 substance. A person has actual possession if he has the  
19 substance on his or her person or within easy reach and  
20 convenient control. A person who, although not in actual  
21 possession, has the power and the intention at a given time to  
22 exercise dominion or control over the substance either directly  
23 or through another person or persons is in constructive  
24 possession of it. Possession may also be sole or joint. If one  
25 person alone has possession of a substance possession is sole.  
26 If two or more persons share possession of a substance,  
27 possession is joint;

28           (39) "Practitioner", a physician, dentist, optometrist,  
29 podiatrist, veterinarian, scientific investigator, pharmacy,

1 hospital or other person licensed, registered or otherwise  
2 permitted by this state to distribute, dispense, conduct research  
3 with respect to or administer or to use in teaching or chemical  
4 analysis, a controlled substance in the course of professional  
5 practice or research in this state, or a pharmacy, hospital or  
6 other institution licensed, registered, or otherwise permitted to  
7 distribute, dispense, conduct research with respect to or  
8 administer a controlled substance in the course of professional  
9 practice or research;

10 (40) "Production", includes the manufacture, planting,  
11 cultivation, growing, or harvesting of drug paraphernalia or of a  
12 controlled substance or an imitation controlled substance;

13 (41) "Registry number", the number assigned to each person  
14 registered under the federal controlled substances laws;

15 (42) "Sale", includes barter, exchange, or gift, or offer  
16 therefor, and each such transaction made by any person, whether  
17 as principal, proprietor, agent, servant or employee;

18 (43) "State" when applied to a part of the United States,  
19 includes any state, district, commonwealth, territory, insular  
20 possession thereof, and any area subject to the legal authority  
21 of the United States of America;

22 (44) "Synthetic cannabinoid", includes unless specifically  
23 excepted or unless listed in another schedule, any natural or  
24 synthetic material, compound, mixture, or preparation that  
25 contains any quantity of a substance that is a cannabinoid  
26 receptor agonist, including but not limited to any substance  
27 listed in paragraph (11) of subdivision (4) of subsection 2 of  
28 section 195.017 and any analogues; homologues; isomers, whether  
29 optical, positional, or geometric; esters; ethers; salts; and



1 salts of isomers, esters, and ethers, whenever the existence of  
2 the isomers, esters, ethers, or salts is possible within the  
3 specific chemical designation, however, it shall not include any  
4 approved pharmaceutical authorized by the United States Food and  
5 Drug Administration;

6 (45) "Ultimate user", a person who lawfully possesses a  
7 controlled substance or an imitation controlled substance for his  
8 or her own use or for the use of a member of his or her household  
9 or immediate family, regardless of whether they live in the same  
10 household, or for administering to an animal owned by him or by a  
11 member of his or her household. For purposes of this section,  
12 the phrase "immediate family" means a husband, wife, parent,  
13 child, sibling, stepparent, stepchild, stepbrother, stepsister,  
14 grandparent, or grandchild;

15 (46) "Wholesaler", a person who supplies drug paraphernalia  
16 or controlled substances or imitation controlled substances that  
17 he himself has not produced or prepared, on official written  
18 orders, but not on prescriptions."; and

19 Further amend said bill, page 7, section 195.017, line 158,  
20 by inserting immediately after the word "except" the following:  
21 "medical marijuana pursuant to article XIV of the Missouri  
22 Constitution and"; and further amend line 171, by inserting  
23 immediately after the word "except" the following: "medical  
24 marijuana pursuant to article XIV of the Missouri Constitution  
25 and"; and

26 Further amend said bill, page 31, section 195.805, line 15,  
27 by inserting immediately after said line the following:

28 "263.250. 1. The plant "marijuana", botanically known as  
29 cannabis sativa, is hereby declared to be a noxious weed and all

1 owners and occupiers of land shall destroy all such plants  
2 growing upon their land. Any person who knowingly allows such  
3 plants to grow on his land or refuses to destroy such plants  
4 after being notified to do so shall allow any sheriff or such  
5 other persons as designated by the county commission to enter  
6 upon any land in this state and destroy such plants.

7 2. Entry to such lands shall not be made, by any sheriff or  
8 other designated person to destroy such plants, until fifteen  
9 days' notice by certified mail shall be given the owner or  
10 occupant to destroy such plants or a search warrant shall be  
11 issued on probable cause shown. In all such instances, the  
12 county commission shall bear the cost of destruction and  
13 notification.

14 3. The provisions of this section shall not apply to  
15 marijuana plants grown lawfully pursuant to article XIV of the  
16 Missouri Constitution."; and

17 Further amend said bill, page 33, section 579.065, line 24,  
18 by inserting immediately after "marijuana" the following: "and  
19 excluding medical marijuana pursuant to article XIV of the  
20 Missouri Constitution"; and

21 Further amend said bill and section, page 34, line 58, by  
22 inserting immediately after "marijuana" the following: "and  
23 excluding medical marijuana pursuant to article XIV of the  
24 Missouri Constitution"; and

25 Further amend said bill, page 35, section 579.068, line 24,  
26 by inserting immediately after "marijuana" the following: "and  
27 excluding medical marijuana pursuant to article XIV of the  
28 Missouri Constitution"; and

29 Further amend said bill and section, page 36, line 58, by

1 inserting immediately after "marijuana" the following: ",  
2 excluding medical marijuana pursuant to article XIV of the  
3 Missouri Constitution"; and further amend line 59, by inserting  
4 immediately after "plants" the following: ", excluding medical  
5 marijuana pursuant to article XIV of the Missouri Constitution";  
6 and

7 Further amend the title and enacting clause accordingly.

8