

**Sec. 45-906. Controlled substances; definitions; prohibited acts.**

**A. Definitions for the purpose of this section:**

1. "Controlled substance" means a drug, substance or immediate precursor as referred to in Schedules I through V, listed in Chapter 195, Revised Statutes of Missouri, except marijuana as defined by Article XIV of the Constitution of Missouri.
  2. "Drug paraphernalia" means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance or an imitation controlled substance in violation of Chapter 195, Revised Statutes of Missouri.
- B. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia, to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance as set forth in RSMo 195.017.
- C. It is unlawful for any person to place in any newspaper, magazine, handbill or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.
- D. It is unlawful for any person to use, or to possess with intent to use, an imitation controlled substance in violation of this chapter.
- E. It is unlawful for any person to place in any newspaper, magazine, handbill or other publication, or to post or distribute in any public place, any advertisement or solicitation with reasonable knowledge that the purpose of the advertisement or solicitation is to promote the distribution of imitation controlled substances.
- ~~(e) It is unlawful for any person to possess or have under his control thirty-five (35) grams or less of marijuana or five (5) grams or less of hashish.~~
- ~~(f) It is unlawful for any person to deliver or possess with intent to deliver less than twenty-five (25) grams of marijuana or less than five (5) grams of hashish for no remuneration.~~
- ~~(g) It is not unlawful for a qualifying patient to have in his/her possession marijuana that has been legally prescribed to said qualifying patient by a licensed healthcare professional and dispensed to said qualifying patient by a licensed medical marijuana dispensary facility. It is not unlawful for a primary caregiver as defined by the State of Missouri Department of Health and Senior Services to have in his/her possession marijuana that has been legally prescribed by a licensed healthcare professional and dispensed by a licensed medical marijuana facility to a qualifying patient who has designated the person as the primary caregiver in an identification card issued by the State of Missouri. Legally dispensed~~

~~marijuana shall be kept in a container delineated as medical marijuana under the laws of the State of Missouri.~~

(Ord. No. 2649, § 2(21-906), 5-6-84; Ord. No. 19-33 , § 1, 5-20-19)

State law reference(s)—Similar provisions, RSMo 195.202.