

**218A.1416 Possession of controlled substance in second degree -- Penalty.**

- (1) A person is guilty of possession of a controlled substance in the second degree when he or she knowingly and unlawfully possesses: a controlled substance classified in Schedules I or II which is not a narcotic drug; or specified in KRS 218A.1415; or, a controlled substance classified in Schedule III; but not naphthylpyrovalerone, 3,4-methylenedioxypropylvalerone, 3,4-methylenedioxymethylcathinone, 4-methylmethcathinone, synthetic cannabinoid agonists, piperazines, salvia, or marijuana.
- (2) Possession of a controlled substance in the second degree is a Class A misdemeanor.

**Effective:** June 8, 2011

**History:** Amended 2011 Ky. Acts ch. 2, sec. 13, effective June 8, 2011; and ch. 45, sec. 10, effective March 16, 2011. -- Amended 2010 Ky. Acts ch. 149, sec. 11, effective April 13, 2010; and ch. 160, sec. 11, effective April 26, 2010. -- Amended 1998 Ky. Acts ch. 606, sec. 66, effective July 15, 1998. -- Created 1992 Ky. Acts ch. 441, sec. 16, effective July 14, 1992.

**Legislative Research Commission Note (6/8/2011).** This section was amended by 2011 Ky. Acts chs. 2 and 45, which do not appear to be in conflict and have been codified together.