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Criminal Procedure; controlled substance or dangerous drug analysis fee

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Criminal Procedure; controlled substance or dangerous drug analysis fee

NEV. REV. STAT. §§ 453.____, 454.____ (new); § 454.181 (amended).
AB 270 (Nevin); 1987 STAT. Ch 578

Existing law prohibits possession of a controlled substance¹ or a dangerous drug² without a prescription.³ Chapter 578 requires any defendant who pleads guilty or is found guilty of a controlled substance or dangerous drug violation to pay a fifty dollar fee for the substance or drug analysis.⁴ Under Chapter 578, any defendant who is acquitted of charges or whose charges have been dropped must be returned the fee.⁵ Chapter 578 provides that fees collected from drug and substance analyses must be deposited in the forensic services fund.⁶

JMA

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1. NEV. REV. STAT. § 453.041 (definition of controlled substance).
 2. *Id.* § 454.201 (definition of dangerous drug).
 3. *Id.* § 453.336 (applying to controlled substances); *id.* § 454.316 (applying to dangerous drugs); *id.* § 453.128 (definition of prescription).
 4. 1987 Nev. Stat. ch. 578, sec. 1, at ____ (enacting NEV. REV. STAT. § 453.____) (applying to controlled substances); *id.* sec. 2, at ____ (enacting NEV. REV. STAT. § 454.____) (applying to dangerous drugs). *See id.* sec. 1, at ____ (enacting NEV. REV. STAT. § 453.____); *id.* sec. 2, at ____ (enacting NEV. REV. STAT. § 454.____) (fee must be stated separately on the court's docket and included in amount posted for bail).
 5. *Id.* sec. 1, at ____ (enacting NEV. REV. STAT. § 453.____); *id.* sec. 2, at ____ (enacting NEV. REV. STAT. § 454.____).
 6. *Id.* sec. 1, at ____ (enacting NEV. REV. STAT. § 453.____); *id.* sec. 2, at ____ (enacting NEV. REV. STAT. § 454.____). Counties receiving forensic services under contract with the state must deposit the collected fees into the State Treasurer's general fund. *Id.* sec. 1, at ____ (enacting NEV. REV. STAT. § 453.____); *id.* sec. 2, at ____ (enacting NEV. REV. STAT. § 454.____). Counties not under contract with the state must use the collected fees to finance the costs of the drug analyses including the purchase and maintenance of equipment and the training of employees. *Id.* sec. 1, at ____ (enacting NEV. REV. STAT. § 453.____); *id.* sec. 2, at ____ (enacting NEV. REV. STAT. § 454.____). Money from the fund may only be used at laboratories registered with the Drug Enforcement Administration. *Id.* sec. 1, at ____.