

(C) FINDING OF INTENTION OR DESIGN — INNOCENCE OF OWNER NOT DISPOSITIVE.

THE INNOCENCE OF AN OWNER OR A PERSON IN CONTROL OF THE OBJECT AS TO A DIRECT VIOLATION OF THIS SECTION DOES NOT PREVENT A FINDING THAT THE OBJECT IS INTENDED FOR USE OR DESIGNED FOR USE AS DRUG PARAPHERNALIA.

(D) USE OR POSSESSION WITH INTENT TO USE; PENALTY.

(1) UNLESS AUTHORIZED UNDER THIS TITLE, A PERSON MAY NOT USE OR POSSESS WITH INTENT TO USE DRUG PARAPHERNALIA TO:

(I) PLANT, PROPAGATE, CULTIVATE, GROW, HARVEST, MANUFACTURE, COMPOUND, CONVERT, PRODUCE, PROCESS, PREPARE, TEST, ANALYZE, PACK, REPACK, STORE, CONTAIN, OR CONCEAL A CONTROLLED DANGEROUS SUBSTANCE; OR

(II) INJECT, INGEST, INHALE, OR OTHERWISE INTRODUCE INTO THE HUMAN BODY A CONTROLLED DANGEROUS SUBSTANCE.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(I) FOR A FIRST VIOLATION, A FINE NOT EXCEEDING \$500; AND

(II) FOR EACH SUBSEQUENT VIOLATION, IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$2,000 OR BOTH.

(3) A PERSON WHO IS CONVICTED OF VIOLATING THIS SUBSECTION FOR THE FIRST TIME AND WHO PREVIOUSLY HAS BEEN CONVICTED OF VIOLATING SUBSECTION (E)(4) OF THIS SECTION IS SUBJECT TO THE PENALTY SPECIFIED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION.

(E) DELIVERY OR SALE; PENALTY.

(1) UNLESS AUTHORIZED UNDER THIS TITLE, A PERSON MAY NOT DELIVER OR SELL, OR MANUFACTURE OR POSSESS WITH INTENT TO DELIVER OR SELL, DRUG PARAPHERNALIA, KNOWING, OR UNDER CIRCUMSTANCES WHERE ONE REASONABLY SHOULD KNOW, THAT THE DRUG PARAPHERNALIA WILL BE USED TO:

(I) PLANT, PROPAGATE, CULTIVATE, GROW, HARVEST, MANUFACTURE, COMPOUND, CONVERT, PRODUCE, PROCESS, PREPARE, TEST, ANALYZE, PACK, REPACK, STORE, CONTAIN, OR CONCEAL A CONTROLLED DANGEROUS SUBSTANCE; OR

(II) INJECT, INGEST, INHALE, OR OTHERWISE INTRODUCE INTO THE HUMAN BODY A CONTROLLED DANGEROUS SUBSTANCE.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(I) FOR A FIRST VIOLATION, A FINE NOT EXCEEDING \$500; AND