

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

IN THE SENATE

BY SENATOR BRONSON

SENATE BILL NO. 79

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIRST LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to penalties under the provisions of the Uniform Narcotic Drug Act; amending Sec. 40-3-20, ACLA 1949 as amended by Ch. 26, SLA 1951 and Ch. 106, SLA 1953; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

Section 1. Sec. 40-3-20, ACLA 1949 as amended by Ch. 26, SLA 1951 and Ch. 106, SLA 1953 is hereby amended to read as follows:

Sec. 40-3-20. PENALTIES. Whoever violates any provision of this Act shall upon conviction be fined not more than \$5,000.00 and be imprisoned not less than two nor more than five years. For a second offense, or if, in case of a first conviction of violation of any provision of this Act, the offender shall previously have been convicted of any violation of the laws of the United States or of any other state, territory or district relating to narcotic drugs, the offender shall be fined not more than \$7,500.00 and be imprisoned not less than five nor more than ten years. For a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the laws of the United States or of any other state, territory or district relating to narcotic drugs,

1 the offender shall be fined not more than \$10,000.00 and be
2 imprisoned not less than ten nor more than twenty years.

3 The minimum and maximum penalties provided for herein
4 shall be doubled where the offender is convicted for the
5 sale of narcotic drugs in violation of this Act, and this
6 shall be so whether prior convictions, if any, were for
7 illegal sale of narcotic drugs or for other violations of
8 this Act or of the laws of the United States or of any other
9 state, territory or district relating to narcotic drugs;
10 provided, that any person convicted of illegally selling,
11 giving or supplying narcotic drugs to a person under the
12 age of twenty-one years shall be punished as follows:

13 (1) If the offense be a first violation, by imprison-
14 ment for not less than ten ~~SEVEN~~ nor more than thirty
15 ~~FIFTEEN~~ years and by a fine of not less than \$5,000.00
16 nor more than \$10,000.00:

17 (2) If the offense be a second violation, or if, in the
18 case of a first violation, the offender shall previously have
19 been convicted of any violation of this Act or of the laws of
20 the United States or of any other state, territory or dis-
21 trict relating to narcotic drugs, by imprisonment for not
22 less than fifty ~~FIFTEEN OR MORE THAN THIRTY~~ years, and by
23 a fine of not more than \$25,000.00 ~~\$20,000.00~~:

24 (3) If the offense be a third violation, or if, in
25 the case of either a first or second violation, the offender
26 shall previously have been convicted two or more times in the
27 aggregate of any violation of this Act or of the laws of the
28 United States, or of any other state, territory or district
29 relating to narcotic drugs, by imprisonment for the remainder

1 of his or her natural life.

2 Except in the case of conviction for a first offense
3 for violation of the provisions of this Act, where such first
4 offense was other than the illegal sale of narcotic drugs,
5 the imposition or execution of sentence shall not be sus-
6 pended and probation or parole shall not be granted until
7 the minimum imprisonment herein provided for the offense
8 shall have been served.

9 Sec. 2. This Act shall take effect immediately upon its
10 passage and approval or upon its becoming law without such
11 approval.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29