

1 IN THE SENATE

BY SENATOR BRONSON

2 SENATE BILL NO. 99

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SECOND LEGISLATURE - FIRST SESSION

5 A BILL

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

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

12 Section 1. Sec. 40-3-20, ACLA 1949 as amended by Ch. 26, SLA
13 1951 and Ch. 106, SLA 1953 is amended to read:

14 Sec. 40-3-20. PENALTIES. Whoever violates any provision
15 of this Act shall upon conviction be fined not more than
16 \$5,000.00 and be imprisoned not less than five [TWO] nor more
17 than 10 [FIVE] years. For a second offense, or if, in case
18 of a first conviction of violation of any provision of this
19 Act, the offender shall previously have been convicted of
20 any violation of the laws of the United States or of any other
21 state, territory or district relating to narcotic drugs, the
22 offender shall be fined not more than \$7,500.00 and be
23 imprisoned not less than 10 [FIVE] nor more than 20 [TEN]
24 years. For a third or subsequent offense, or if the offender
25 shall previously have been convicted two or more times in the
26 aggregate of any violation of the laws of the United States
27 or of any other state, territory or district relating to
28 narcotic drugs, the offender shall be fined not more than
29 \$10,000.00 and be imprisoned not less than 20 [TEN] nor more

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1 than 40 [TWENTY] years.

2 The minimum and maximum penalties provided for herein
3 [SHALL BE DOUBLED] where the offender is convicted [FOR THE
4 SALE OF NARCOTIC DRUGS IN VIOLATION OF THIS ACT, AND THIS
5 SHALL BE SO WHETHER PRIOR CONVICTIONS, IF ANY, WERE FOR
6 ILLEGAL SALE OF NARCOTIC DRUGS OR FOR OTHER VIOLATIONS OF
7 THIS ACT OR OF THE LAWS OF THE UNITED STATES OR OF ANY OTHER
8 STATE, TERRITORY OR DISTRICT RELATING TO NARCOTIC DRUGS; PRO-
9 VIDED, THAT ANY PERSON CONVICTED] of illegally selling, giving
10 or supplying narcotic drugs to a person under the age of
11 twenty-one years shall be punished as follows:

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

16 (2) If the offense be a second violation, or if,
17 in the case of a first violation, the offender shall pre-
18 viously have been convicted of any violation of this Act or
19 of the laws of the United States or of any other state, terri-
20 tory or district relating to narcotic drugs, by imprisonment
21 for not less than thirty [FIFTEEN OR MORE THAN THIRTY] years,
22 and by a fine of not more than \$25,000.00 [\$20,000.00]:

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

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[EXCEPT IN THE CASE OF CONVICTION FOR A FIRST OFFENSE FOR VIOLATION OF THE PROVISIONS OF THIS ACT, WHERE SUCH FIRST OFFENSE WAS OTHER THAN THE ILLEGAL SALE OF NARCOTIC DRUGS, THE] The imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum imprisonment herein provided for the offense shall have been served.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.