

Original sponsor: Ose

Offered: 4/2/74
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 104

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to penalties for the sale of drugs;
7 and providing for an effective date."

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

9 * Section 1. AS 17.10.200(a) is amended to read:

10 (a) A person who violates any provision of this chapter except
11 a provision relating to the keeping of records, upon conviction, is
12 punishable by a fine of not more than \$5,000 and by imprisonment for
13 not less than two nor more than 10 years; however, a person who
14 violates a provision of this chapter relating to the possession or
15 control of a narcotic drug, when his possession or control is for
16 the purpose of sale to another person, is punishable by imprisonment
17 for not less than five years. For a second offense, or for a
18 first offense where the offender has previously been convicted of a
19 violation of the laws of the United States or of any other state,
20 territory or district relating to narcotic drugs, the offender is
21 punishable by a fine of not more than \$7,500 and by imprisonment
22 for not less than 10 nor more than 20 years. For a third or sub-
23 sequent offense, or if the offender has previously been convicted
24 two or more times of a violation of the laws of the United States
25 or of any other state, territory or district relating to narcotic
26 drugs, the offender is punishable by a fine of not more than \$10,000
27 and by imprisonment for not less than 20 nor more than 40 years.

28 * Sec. 2. AS 17.10.200(d) is amended to read:

29 (d) The imposition or execution of sentence shall not be

1 suspended and probation or parole shall not be granted until the
2 minimum imprisonment provided in this section for the offense is
3 served; however, a person who violates a provision of this chapter
4 relating to the possession or control of a narcotic drug, when his
5 possession or control is not for the purpose of sale to another person,
6 and who is determined to be addicted to narcotic drugs may, in place of
7 a fine or imprisonment, be committed to the custody of the department
8 for rehabilitative treatment.

9 * Sec. 3. This Act takes effect on the day after its passage and
10 approval or on the day it becomes law without approval.