

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 321

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act amending the Uniform Narcotic Drug Act; and
7 providing for an effective date."

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

9 * Section 1. AS 17.10.200 is repealed and re-enacted to read:

10 Sec. 17.10.200. PENALTIES. (a) A person who violates a
11 provision of this chapter relating to the possession or control of
12 narcotic drugs, when his possession or control is for his own use,
13 is guilty of a felony and upon conviction, is punishable as follows:

14 (1) for the first offense, by imprisonment for not less than
15 two nor more than 10 years, and by a fine of not more than \$5,000;

16 (2) for the second offense, or for a first offense where
17 the offender has previously been convicted of a violation of the laws
18 of the United States or of another state, territory or district relating
19 to narcotic drugs by imprisonment for not less than 10 years nor more
20 than 20 years, and by a fine of not more than \$7,500;

21 (3) for a third or subsequent offense, or if the offender
22 has previously been convicted two or more times of a violation of the
23 laws of the United States or of any other state, territory or district
24 relating to narcotic drugs, by imprisonment for not less than 20 years
25 or more than 40 years, and by a fine of not more than \$10,000.

26 (b) A person who violates any provision of this chapter, ex-
27 cept a provision relating to the keeping of records or a provision
28 of this chapter relating to the possession or control of narcotic
29 drugs for his own use, when his possession or control is for the

1 purpose of sale or other disposal to another person, is guilty of a
2 felony and upon conviction is punishable as follows:

3 (1) for the first offense, by imprisonment for not less than
4 two nor more than 10 years, and by a fine of not more than \$5,000;

5 (2) for the second offense, or for a first offense where
6 the offender has previously been convicted of a violation of the laws
7 of the United States or of another state, territory or district relating
8 to narcotic drugs by imprisonment for any term of years or life but
9 not less than 10 years, and by a fine of not more than \$7,500;

10 (3) for a third or subsequent offense, or if the offender
11 has previously been convicted two or more times of a violation of the
12 laws of the United States or of any other state, territory or district
13 relating to narcotic drugs, by imprisonment for any term of years or
14 life, but not less than 20 years, and by a fine of not more than
15 \$10,000.

16 (c) A person who violates a provision of this chapter by selling
17 or otherwise supplying a narcotic drug to a person less than 19 years
18 of age is guilty of a felony and upon conviction is punishable as
19 follows:

20 (1) for the first offense, by imprisonment for not less
21 than 10 nor more than 30 years and by a fine of not less than \$5,000
22 nor more than \$10,000;

23 (2) for a second offense, or a first offense where the
24 offender has previously been convicted of a violation of this chapter
25 or of the laws of the United States or of any other state, territory
26 or district relating to narcotic drugs, by imprisonment for any
27 term of years or life, but not less than 15 years, and by a fine of
28 not more than \$25,000;

29 (3) for a third and subsequent offense, or a first or

1 second offense where the offender has previously been convicted two or
2 more times of a violation of this chapter or of the laws of the United
3 States, or of any other state, territory or district relating to
4 narcotic drugs, by imprisonment for the remainder of his natural life.

5 (d) A person who violates any provision of this chapter relating
6 to the keeping of records by persons authorized to administer or
7 professionally use narcotic drugs, upon conviction, is punishable by
8 a fine of not less than \$500 nor more than \$5,000, or by imprisonment
9 for not less than one year nor more than five years, or by both.

10 (e) The imposition or execution of sentence shall not be suspended
11 and probation and parole shall not be granted until the minimum
12 imprisonment provided in this section for the offense is served.

13 * Sec. 2. This Act takes effect on the day after its passage and
14 approval or on the day it becomes law without approval.
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29