

1 IN THE SENATE

BY MILLER AND HOHMAN

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 350

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to penalties for unauthorized  
7 possession and control of certain drugs."

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

9 \* Section 1. AS 17.12.110 is amended to read:

10 Sec. 17.12.110. PENALTIES. (a) A person who violates a  
11 provision of this chapter relating to the possession or control of  
12 depressant, hallucinogenic and stimulant drugs, other than marijuana  
13 as specified in (d) of this section, when his possession or control  
14 is for his own use, is guilty of a misdemeanor and upon conviction  
15 is punishable by imprisonment for not more than one year, or by a  
16 fine of not more than \$1,000, or by both.

17 (b) A person who violates a provision of this chapter other  
18 than those [ONE] mentioned in (a) and (d) of this section, or a  
19 person who violates a provision of this chapter relating to the  
20 possession or control of depressant, hallucinogenic and stimulant  
21 drugs, when his possession or control is for the purpose of sale  
22 or other disposal to another person, is guilty of a felony and upon  
23 conviction is punishable as follows:

24 (1) for the first offense, by imprisonment for not more  
25 than 25 years, or by a fine of not more than \$20,000, or by both;

26 (2) for the second and subsequent offenses, by imprisonment  
27 for any term of years or life, or by a fine of not more than \$25,000,  
28 or by both.

1 (c) A person who violates a provision of this chapter by  
2 selling or otherwise disposing of a depressant, hallucinogenic or  
3 stimulant drug to a person less than 19 years of age is guilty of  
4 a felony and upon conviction is punishable by imprisonment for any  
5 term of years or life, or by a fine of not more than \$25,000, or  
6 by both.

7 (d) A person 18 years of age or older who violates this  
8 chapter by possession or control of no more than one ounce of  
9 marijuana, when his possession or control is for his own use, is  
10 punishable by a civil fine of not more than \$100. Punishment under  
11 this subsection shall be initiated only by civil complaint or  
12 citation. The court may establish procedures for payment of  
13 finer by mail. Criminal records shall not be maintained for  
14 penalties imposed under this subsection.