ENROLLED

SENATE BILL NO. 275

(By Mr. Love)

PASSED March 10, 1951

In Effect July 1, 1951
AN ACT to amend and reenact section twenty-three, article eight-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to penalties for violation of the narcotic laws.

Be it enacted by the Legislature of West Virginia:

That section twenty-three, article eight-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 23. Penalties for Violations.—Whoever violates any provision of this act shall, upon conviction, be fined not more than one thousand dollars 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 or marihuana, the offender shall
be fined not more than five thousand dollars and be im-
prisoned 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 law of the United
States or of any other state, territory or district relating
to narcotic drugs or marihuana, the offender shall be
fined not more than ten thousand dollars and be impris-
oned not less than ten nor more than twenty years.
Except in the case of conviction for a first offense for
violation of the provisions of this act, the imposition or
execution of sentence shall not be suspended and pro-
bation or parole shall not be granted until the minimum
imprisonment herein provided for the offense shall have
been served. The court shall in each case fix and deter-
mine the exact length of sentence to be served for each
conviction.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Robert C. Byrd
Chairman Senate Committee

James W. Roop
Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1951

Homer M. Ferguson
Clerk of the Senate

R. Aliff
Clerk of the House of Delegates

W. D. Hamor
President of the Senate

The within approved this the 15th day of March, 1951.

Olgy L. Patterson
Governor.

逐出 of West Virginia MAR 16 1951

D. Pitt O'Brien
Secretary of State