

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951

ENROLLED

SENATE BILL NO. 275

(By Mr. Love)

PASSED March 10 1951

In Effect July 1, 1951 Passage



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
2 any provision of this act shall, upon conviction, be fined
3 not more than one thousand dollars and be imprisoned
4 not less than two nor more than five years. For a second

5 offense, or if, in case of a first conviction of violation of
6 any provision of this act, the offender shall previously
7 have been convicted of any violation of the laws of the
8 United States or of any other state, territory or district
9 relating to narcotic drugs or marihuana, the offender shall
10 be fined not more than five thousand dollars and be im-
11 prisoned not less than five nor more than ten years. For
12 a third or subsequent offense, or if the offender shall
13 previously have been convicted two or more times in
14 the aggregate of any violation of the law of the United
15 States or of any other state, territory or district relating
16 to narcotic drugs or marihuana, the offender shall be
17 fined not more than ten thousand dollars and be impris-
18 oned not less than ten nor more than twenty years.

19 Except in the case of conviction for a first offense for
20 violation of the provisions of this act, the imposition or
21 execution of sentence shall not be suspended and pro-
22 bation or parole shall not be granted until the minimum
23 imprisonment herein provided for the offense shall have
24 been served. The court shall in each case fix and deter-
25 mine the exact length of sentence to be served for each
26 conviction.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Robert C. Byrd

Chairman Senate Committee

James W. Loop

Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1951 passage.

Thomas H. Byrd

Clerk of the Senate

J. R. Aliff

Clerk of the House of Delegates

Franklin D. Roosevelt

President of the Senate

W. E. Hamme

Speaker House of Delegates

The within approved this the 16th
March, 1951.

Okey L. Patterson

Governor.



of West Virginia **MAR 16 1951**
D. PITT O'BRIEN,
SECRETARY OF STATE