

HOUSE No. 1970

By Mr. Pressman of Chelsea, petition of Meyer Pressman for legislation to impose a penalty for violation of certain narcotic drug laws. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Nine.

AN ACT IMPOSING A PENALTY FOR VIOLATION OF CERTAIN NARCOTIC LAWS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 94 of the General Laws is hereby amended by strik-
2 ing out section 213A, inserted by section 1 of chapter 660 of the
3 acts of 1957, and inserting in place thereof the following sec-
4 tion:—

5 *Section 213A.* Whoever is present where a narcotic drug is
6 illegally kept or deposited, or whoever is knowingly in the com-
7 pany of a person illegally in the possession of a narcotic drug may
8 be arrested without a warrant by an officer or inspector whose
9 duty it is to enforce the narcotic drugs law. **Whoever violates**
10 **any provision of this section shall for the first offence be**
11 **punished** by a fine of not more than two thousand dollars and
12 by imprisonment in the state prison for not less than two and
13 one half nor more than five years; for a second offence by a
14 fine of not less than five hundred nor more than two thousand
15 dollars and by imprisonment for not less than five nor more than
16 ten years; and for a third or subsequent offence by a fine of two
17 thousand dollars and by imprisonment for not less than ten nor
18 more than twenty years. Except in the case of the first offence,
19 the imposition or execution of the sentence shall not be sus-
20 pended, and no probation or parole shall be granted until the
21 minimum imprisonment for the offence shall have been served.

