

HOUSE BILL NO. 684

INTRODUCED BY RAMIREZ,
HAND, CURTISS, DAILY

IN THE HOUSE

February 8, 1983	Introduced and referred to Committee on Judiciary.
February 14, 1983	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 15, 1983	Second reading, do pass.
February 16, 1983	Considered correctly engrossed.
February 17, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 18, 1983	Introduced and referred to Committee on Judiciary.
March 23, 1983	Committee recommend bill be concurring in. Report adopted.
March 25, 1983	Second reading, concurring in.
March 28, 1983	Third reading, concurring in. Ayes, 47; Nays, 0.

IN THE HOUSE

March 28, 1983	Returned to House.
March 29, 1983	Sent to enrolling. Reported correctly enrolled.

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2 INTRODUCED BY Ramirez, Lora Curtis Daily
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MINIMUM
5 PENALTIES FOR SALE OF DANGEROUS DRUGS, THUS REMEDYING AN
6 OMISSION MADE DURING THE 46TH LEGISLATURE; AMENDING SECTION
7 45-9-101, MCA."
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 45-9-101, MCA, is amended to read:

11 "45-9-101. Criminal sale of dangerous drugs. (1) A
12 person commits the offense of criminal sale of dangerous
13 drugs if he sells, barter, exchanges, gives away, or offers
14 to sell, barter, exchange, or give away or manufactures,
15 prepares, cultivates, compounds, or processes any dangerous
16 drug, as defined in 50-32-101.

17 (2) A person convicted of criminal sale of an opiate,
18 as defined in 50-32-101(18), shall be imprisoned in the
19 state prison for a term of not less than 2 years or more
20 than life and may be fined not more than \$50,000, except as
21 provided in 46-18-222.

22 (3) A person convicted of criminal sale of a dangerous
23 drug included in Schedule I or Schedule II pursuant to
24 50-32-222 or 50-32-224, except marijuana or
25 tetrahydrocannabinols, who has a prior conviction for

1 criminal sale of such a drug shall be imprisoned in the
2 state prison for a term of not less than 5 10 years or more
3 than life and may be fined not more than \$50,000, except as
4 provided in 46-18-222. Upon a third or subsequent conviction
5 for criminal sale of such a drug, he shall be imprisoned in
6 the state prison for a term of not less than 10 20 years or
7 more than life and may be fined not more than \$50,000,
8 except as provided in 46-18-222. Whenever a conviction under
9 this subsection is for criminal sale of such a drug to a
10 minor, the sentence shall include the restriction that the
11 defendant be ineligible for parole and participation in the
12 supervised release program while serving his term.

13 (4) A person convicted of criminal sale of dangerous
14 drugs not otherwise provided for in subsection (2) or (3)
15 shall be imprisoned in the state prison for a term of not
16 less than 1 year or more than life or be fined an amount of
17 not more than \$50,000, or both.

18 (5) Practitioners and agents under their supervision
19 acting in the course of a professional practice, as defined
20 by 50-32-101, are exempt from this section."

-End-

-2- INTRODUCED BILL
HB684

Approved by Committee
on Judiciary

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