

Article 27 of the Annotated Code of Maryland (1957 Edition), title "Crimes and Punishments," subtitle "Health—Narcotic Drugs," to make violations of the narcotic drug laws felonious offenses and relating generally to the grade of offense for narcotic law violations.

SECTION 1. *Be it enacted by the General Assembly of Maryland.* That Section 300 of Article 27 of the Annotated Code of Maryland (1957 Edition), title "Crimes and Punishments," subtitle "Health—Narcotic Drugs," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

300.

~~Whoever~~ ANY PERSON WHO violates any provision of this subtitle AS CONTAINED IN SECTIONS 277, 291, OR 295, WITH REGARD TO ANY NARCOTIC DRUG SPECIFIED IN SECTION 276, SHALL BE CHARGED WITH COMMITTING A FELONY, AND shall ~~upon conviction~~ *be guilty of a felony, and, upon conviction shall* be fined not more than one thousand dollars (\$1,000.00) and be imprisoned not less than two or more than five years. For a second offense, or if, in case of a first conviction of violation of any provision of this subtitle, 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 two thousand dollars (\$2,000.00) and be imprisoned not less than five or 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 three thousand dollars (\$3,000.00) and be imprisoned not less than ten or more than twenty years. And except in the case of conviction for a first offense for violation of the provisions of this subtitle, the imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum imprisonment herein provided for the offense shall have been served. Provided, that if any such offense shall consist of the sale, barter, peddling, exchange, dispensing or supplying of a narcotic drug to a minor, in violation of any provision of this subtitle, **[said offense shall be deemed a felony, and]** any person found guilty thereof shall be imprisoned for a term of not less than five nor more than twenty years, and shall be subject to a fine as provided for hereinabove in this section.

SEC. 2. *And be it further enacted,* That this Act ~~shall take effect June 1, 1963.~~ IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE AND NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH AND SAFETY, AND BEING PASSED BY A YEA AND NAY VOTE SUPPORTED BY THREE-FIFTHS OF THE MEMBERS ELECTED TO EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY, THE SAME SHALL TAKE EFFECT FROM THE DATE OF ITS PASSAGE.

Approved April 30, 1963.