

sativa L. or more generally known as marihuana shall be guilty of a felony, and upon conviction shall be imprisoned for one year NOT MORE THAN TWO FIVE YEARS OR FINED NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000), OR BOTH SENTENCED TO A TERM OF IMPRISONMENT FOR NOT MORE THAN FIVE (5) YEARS, A FINE OF NOT MORE THAN FIFTEEN THOUSAND DOLLARS (\$15,000), OR BOTH. For a second or subsequent offense, or if, in the case of a first conviction for the sale of marihuana, the offender shall previously have been convicted of any violation of the laws of the United States or any other state, territory or district relating to the sale of marihuana POSSESSION, USE OR SALE OF NARCOTIC DRUGS OR MARIHUANA, the offender shall be imprisoned for NOT MORE THAN five TEN years. OR FINED NOT MORE THAN TWO THOUSAND DOLLARS (\$2,000), OR BOTH PUNISHABLE BY A TERM OF IMPRISONMENT TWICE THAT AUTHORIZED FOR A FIRST OFFENSE, BY TWICE THE FINE AUTHORIZED FOR A FIRST OFFENSE, OR BY BOTH.

[(b)] (d) Any person who violates any of the provisions of this subtitle, other than those referred to in subsections (a), (b), or (c) with regard to any narcotic drug specified in Section 276 herein, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one thousand dollars (\$1,000) and shall be imprisoned for not less than two or more than five years.

Sec. 2. *And be it further enacted, That this Act shall take effect July 1, 1970.*

SEC. 2. AND BE IT FURTHER ENACTED, THAT THE PROVISIONS OF THIS ACT SHALL APPLY TO ANY PROCEEDINGS NOT FINALLY ADJUDICATED ON THE EFFECTIVE DATE OF THE ACT.

SEC. 3. AND BE IT FURTHER ENACTED, THAT THIS ACT IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE AND NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH AND SAFETY AND HAVING BEEN PASSED BY A YEA AND NAY VOTE SUPPORTED BY THREE-FIFTHS OF ALL 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 15, 1970

CHAPTER 238
(House Bill 500)

AN ACT to repeal and re-enact, with amendments, Section 594B(e) of Article 27 of the Annotated Code of Maryland (1969 Supplement), title "Crimes and Punishments," subtitle "Arrests," to add those crimes and offenses enumerated and referred to in Sections