

Bill No. 1672

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Referred to Committee on JUDICIARY

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LCO No. 326

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Introduced by SEN. MACAULEY, 22nd DIST.

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General Assembly,

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January Session, A.D., 1971

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AN ACT CONCERNING THE PENALTY FOR ILLEGAL MANUFACTURE, SALE,  
 PRESCRIPTION OR ADMINISTRATION OF NARCOTIC DRUGS.

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CONNECTICUT  
 STATE LIBRARY  
 LEGISLATIVE REFERENCE  
 SECTION

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Be it enacted by the Senate and House of Representatives in  
 General Assembly convened:

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Section 1. Subsection (a) of section 19-480 of the 1969  
 supplement to the general statutes is repealed and the following  
 is substituted in lieu thereof: Any person who manufactures,  
 sells, prescribes, dispenses, compounds, transports with the  
 intent to sell or dispense, possesses with the intent to sell or  
 dispense, offers, gives or administers to another person any  
 narcotic drug [or cannabis-type drug], except as authorized in  
 this chapter, for a first offense, shall be imprisoned not less  
 than five years nor more than ten years and may be fined not more  
 than three thousand dollars; and for the second offense, shall be  
 imprisoned not less than ten nor more than [fifteen] TWENTY years  
 [and may be fined not more than five thousand dollars]; and for  
 any subsequent offense shall be imprisoned for twenty-five years.

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(b) Any person who manufactures, sells, prescribes, dispenses,  
 compounds, transports with intent to sell or dispense, possesses  
 with intent to sell or dispense, offers, gives or administers to  
 another person any controlled drug other than a narcotic drug [or  
 cannabis-type drug], except as authorized in this chapter, may,  
 for the first offense, be fined not more than one thousand  
 dollars or be imprisoned; and, for each subsequent offense, may  
 be fined not more than five thousand dollars or be imprisoned not  
 more than ten years, or be both fined and imprisoned. (c) As an

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alternative to the sentences specified in subsection (b) of this section, the court may sentence the person to the custody of the commissioner of correction for an indeterminate term not to exceed three years or the maximum term specified for the offense, whichever is the lesser, and, at any time within such indeterminate term and without regard to any other provision of law regarding minimum term of confinement, the commissioner of correction may release the convicted person so sentenced subject to such conditions as he may impose including but not limited to, supervision by suitable authority. At any time during such indeterminate term, the commissioner of correction may revoke any such conditional release in his discretion for violation of the conditions imposed and return the convicted person to a correctional institution.

Sec. 2. Subsection (b) of section 53a-28 of said supplement is repealed and the following is substituted in lieu thereof: Except as provided in sections 53a-45, 53a-46, 53a-92 and 53a-93 AND EXCEPT FOR SECOND OR SUBSEQUENT CONVICTIONS UNDER SUBSECTION (a) OF SECTION 1 OF THIS ACT, when a person is convicted of an offense, the court shall impose one of the following sentences: (1) A term of imprisonment; or (2) a reformatory sentence authorized by section 18-73 or 18-75; or (3) a fine; or (4) a term of imprisonment and a fine; or (5) a term of imprisonment, with the execution of such sentence of imprisonment suspended, entirely or after a period set by the court, and a period of probation or a period of conditional discharge; or (6) a term of imprisonment, with the execution of such sentence of imprisonment suspended, entirely or after a period set by the court, and a fine and a period of probation, or a period of conditional discharge; or (7) a fine and a reformatory sentence; or (8) a sentence of unconditional discharge.

STATEMENT OF PURPOSE: To provide mandatory prison terms for 64  
second and subsequent convictions for the sale of narcotic drugs. 65

[Proposed deletions are enclosed in brackets and proposed 67  
additions are all capitalized, or underlined where appropriate.] 69