

House substituted for H. J. 104 - 4/9

January 14, 1953.

Passed on File.

By OLTMAN and WATSON of Pottawattamie.

Senate File 7

Judiciary 1

Rec. Passage 7/11

*House - July 1 7/26
Rec. Passage 3/24*

Passed Senate, Date 2-24-53

Vote: Ayes 49 Nays 0

Passed House, Date 4-9-53

Vote: Ayes 89 Nays 0

Approved 4-15-53

A BILL FOR

An Act to amend Section two hundred four point twenty-two (204.22), Code 1950, relating to the penalty for the unlawful use of narcotics.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section two hundred four point twenty-two (1)
2 (204.22) (1), Code 1950, is hereby amended by adding to line
3 two (2) after the word provided, the words "except as pertain-
4 ing to minors."

1 Sec. 2. Section two hundred four point twenty-two
2 (204.22), Code of 1950, is hereby amended by adding subsection
3 three (3). "Any person violating any provision of this
4 chapter, except as otherwise provided, by selling, prescribing,
5 or administering any narcotic drug to a minor shall upon
6 conviction thereof, be punished, by imprisonment in the State
7 Penitentiary for a term of years, not less than five, the
8 provisions of the indeterminate sentence law to the contrary
9 notwithstanding.

1 Amend Senate File 7 by striking all after the enacting
2 clause and inserting in lieu thereof the following
3 "Section 1. Section two hundred four point twenty-two
4 (204.22). Code 1950, is repealed and the following enacted
5 in lieu thereof:

6 "Penalties:
7 "1. Any person violating any provision of this
8 chapter, except as otherwise provided, shall upon
9 conviction be fined not more than two thousand dollars
10 and may be imprisoned not less than two or more than five
11 years. For a second offense, or if, in case of a first
12 conviction of violation of any provision of this chapter,
13 the offender shall previously have been convicted of any
14 violation of the laws of the United States or of any other
15 state, territory or district relating to narcotic drugs or
16 marihuana, the offender shall be fined not more than two
17 thousand dollars and be imprisoned not less than five or
18 more than ten years. For a third or subsequent offense,
19 or if the offender shall previously have been convicted two
20 or more times in the aggregate of any violation of the law
21 of the United States or of any other state, territory or
22 district relating to narcotic drugs or marihuana, the
23 offender shall be fined not more than two thousand dollars
24 and be imprisoned not less than ten or more than twenty
25 years.

26 "2. Any person violating any provision of this chapter,
27 by selling, prescribing, or administering any narcotic drug
28 to a minor shall, upon conviction thereof, be punished by
29 imprisonment in the state penitentiary for not less than
30 five or more than twenty years.

31 "3. Any person who takes, steals, or carries away any
32 narcotic drugs the property of any person who is duly
33 authorized by law to engage in administering, dispensing,
34 or selling of narcotic drugs shall be guilty of a felony
35 and upon conviction be fined and imprisoned as provided
36 in subsection one of this section for any person violating
37 any other provisions of this chapter.

38 "4. For violation of the provisions of this chapter
39 the imposition or execution of sentence shall not be
40 suspended and probation or parole shall not be granted until
41 the minimum imprisonment herein provided for the offense
42 shall have been served."

Filed
January 28, 1953.

By DAILEY.

1 Amend Senate File 7 by adding the following new sections:

2 1. "Section two hundred four point one (204.1), Code
3 1950, is hereby amended by striking all of subsection
4 fifteen (15) and inserting in lieu thereof the following:

5 "15. 'Narcotic drugs' means coca leaves, opium, cannabis,
6 isonipicaine, amidone, isoamidone, keto-bemidone, and every
7 other substance neither chemically nor physically distinguishable
8 from them or any other drugs to which the federal laws relat-
9 ing to narcotic drugs may now apply."

10 2. "Section two hundred four point one (204.1) Code
11 1950, is hereby amended by adding the following new sub-
12 sections:

13 "21. 'Amidone' means any substance identified chemically
14 as 4, 4-diphenyl-6-dimethylamino-heptanone-3, or any salt

18 salt thereof, by whatever trade name designated.

19 "23. 'Keto-bemidone' means any substance identified
20 chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl
21 ketone hydrochloride, or any salt thereof, by whatever trade
22 name designated."

Filed
February 9, 1953.

By DAILEY.

adopted
2/24

adopted
2/24

- 1 Amend the Dailey amendment to Senate File 7, filed January 28,
- 2 by striking the word "may" in line 10 and inserting in lieu thereof
- 3 the word "shall".

Filed and adopted
February 24, 1953.

By DAILEY.

adopted
2/24

- 1 Amend the title to Senate File 7 by striking all after the word
- 2 "Act" and inserting in lieu thereof the following: "relating to
- 3 narcotic drugs; definitions thereof; and providing for increased
- 4 penalties in relation thereto including theft; and adding penalties
- 5 for the unlawful sale, prescription, and administration thereof
- 6 to minors."

Filed and adopted
February 24, 1953.

By DAILEY.

adopted
2/24

- 1 Amend the Daily amendment, filed January 28, to Senate File 7
- 2 by adding after the word "imprisoned" in line 10, 17 and 24 the
- 3 following: "in the state penitentiary".

Filed and adopted
February 24, 1953.

By DAILEY.

adopted
2/24