

No. 728, A.]

[Published August 8, 1953.

CHAPTER 566

AN ACT to amend 161.02 (2) and (3) and 161.275 of the statutes, relating to narcotics, narcotic addicts and the treatment thereof, and providing penalties.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 161.02 (2) and (3) of the statutes are amended to read:

161.02 (2) Any person who shall sell, give, prescribe, administer or dispense any narcotic drug, except as authorized in this chapter, to any person under the age of 21 years, shall * * * be imprisoned in the state prison not less than 3 years nor more than * * * 25 years, *provided that on a third conviction for such offense such person shall be imprisoned for life.*

(3) No person shall take or use narcotic drugs habitually or excessively or except in pursuance to a prescription for permitted use as prescribed in this chapter. The unlawful possession of narcotic drugs by a person or of a hypodermic syringe or needle shall be prima facie evidence of the unlawful use of such drugs. Any person violating this * * * subsection shall * * * be imprisoned * * * not more than * * * 2 years or * * * fined not to exceed \$500. Provided, that the judge of the court wherein said person was convicted, may, in his discretion, if said person requires treatment, commit him to some appropriate institution under the control of the state department of public welfare for treatment not exceeding * * * 2 years.

SECTION 2. 161.275 of the statutes is amended to read:

161.275 The growing, cultivating, mixing, compounding, having control of, preparing, possessing, using, prescribing, selling, administering or dispensing marijuana or hemp, or the leaves thereof, for beverage or smoking purposes or the preparing, compounding, mixing, possessing, having control of, using, prescribing, selling, administering or dispensing any infusion of marijuana or hemp, or of its leaves, for beverage purposes is unlawful and any person violating any provision of this section shall * * * be * * * imprisoned in the state prison not less than one year nor more than * * * 10 years or * * * fined not less than * * * \$250 nor more than * * * \$5,000 or * * * both * * *.

Approved July 14, 1953.