

Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven

HOUSE BILL NO. 1359
(Representative Mickelson)

AN ACT to amend and reenact subsection 4 of section 19-03.1-23 of the North Dakota Century Code, relating to drug offenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 4 of section 19-03.1-23 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4. A person at least ~~twenty-one~~ eighteen years of age who solicits, induces, intimidates, employs, hires, or uses a person under eighteen years of age to ~~unlawfully transport, carry, sell, give away, prepare for sale, or peddle~~ aid or assist in the manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance for the purpose of receiving consideration or payment for the manufacture or delivery of any controlled substance ~~except marijuana~~ is guilty of a class B felony and must be sentenced:
 - a. For the first offense, to imprisonment for at least four years.
 - b. For a second or subsequent offense, to imprisonment for at least five years.
 - c. It is not a defense to a violation of this subsection that the defendant did not know the age of a person protected under this subsection.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1359.

House Vote: Yeas 84 Nays 3 Absent 10

Senate Vote: Yeas 39 Nays 7 Absent 3

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,

at _____ o'clock _____ M.

Secretary of State