

relating to police pension funds in boroughs, towns and townships, and authorizing such political subdivisions to appropriate monies thereto”.

Section 13. This act shall take effect immediately, but no payments shall be made from the fund established by this act until January first, one thousand nine hundred fifty-eight.

Effective date of act and time for payments to be made January 1, 1958.

APPROVED—The 29th day of May, A. D. 1956.

GEORGE M. LEADER

No. 601

AN ACT

Amending the act of July eleven, one thousand nine hundred and seventeen (Pamphlet Laws 758), entitled “An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs, and keeping records thereof; by regulating the use of drugs in the treatment of the drug habit; by providing for the revocation and suspension of licenses of physicians, dentists, veterinarians, pharmacists, druggists, and registered nurses for certain causes, and by providing for the enforcement of this act, and penalties,” further defining drugs coming within the scope of said act, and changing the penalties for the illegal possession, sale, dispensing or giving away of drugs, and limiting the powers of the courts to suspend sentence, grant probation or parole in such cases.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Drugs.

Section 1. Section one, act of July eleven, one thousand nine hundred and seventeen (Pamphlet Laws 758), entitled “An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs, and keeping records thereof; by regulating the use of drugs in the treatment of the drug habit; by providing for the revocation and suspension of licenses of physicians, dentists, veterinarians, pharmacists, druggists, and registered nurses for certain causes, and by providing for the enforcement of this act, and penalties”, amended December 13, 1955 (Act No. 253) is amended to read:

Section 1, act of July 11, 1917, P. L. 758, amended December 13, 1955, Act No. 253, further amended.

Section 1. Be it enacted, &c., That, except as limited in section two of this act, the word “drug”, as used in this act, shall be construed to include: (a) opium; or (b) coca leaves; or (c) marihuana; (d) any compound or derivative of opium, coca leaves, or marihuana; or (e) any substance or preparation containing opium, coca

“Drug” defined.

leaves, or marihuana; or (f) any substance or preparation containing any compounds or derivative of opium, coca leaves, or marihuana and any substance identified chemically as 1-methyl-4-phenylpiperidine-4-carboxylic acid ethyl ester, or any salt or derivative thereof, by whatever trade name designated, or any preparation containing such substance or its salts or derivatives or any substance or preparation containing any drug found by the United States Secretary of the Treasury, after due notice and opportunity for public hearing, to have an addiction forming or addiction-sustaining liability similar to morphine or cocaine and proclaimed by the President to have been so found by the secretary.

Section 2, act of July 11, 1917, P. L. 758, amended April 20, 1921, P. L. 152, further amended.

"Drug" not to include certain preparations.

Section 2. Section two of the act, amended April twenty, one thousand nine hundred twenty-one (Pamphlet Laws 152), is amended to read:

Section 2. The word "drug" shall not be construed to include—(1) preparations and remedies and compounds which do not contain more than two grains of opium, or more than one-fourth of a grain of morphine, [or more than one-eighth of a grain of heroin,] or more than one grain of codeine, or any salt or derivative of any of them, in one fluid ounce, if the same is liquid; or, if a solid or semi-solid, in one avoirdupois ounce; (2) liniments, ointments, or other preparations, prepared and dispensed in good faith for external use only; providing such liniments, ointments, and preparations do not contain cocaine or any of its salts, or alpha or beta eucaine or any of their salts, or any synthetic substitute for cocaine or eucaine or their salts; (3) decocanized coca leaves, or preparations made therefrom, or other preparations of coca leaves which do not contain cocaine:

Provided, however, That no preparations, remedies or compounds, containing any opium, or coca leaves, or any compounds or derivative thereof, in any quantity whatsoever, may be sold, dispensed, distributed, or given away to, or for the use of, any known habitual user of drugs, or any child of twelve years of age or under, except in pursuance of a prescription of a duly licensed physician or dentist.

Section 12, act of July 11, 1917, P. L. 758, amended June 19, 1953, P. L. 290, further amended.

Possession of drugs in violation of act made a felony.

Penalties upon conviction.

First offense.

Section 3. Section twelve of the act, amended June nineteen, one thousand nine hundred and fifty-three (Pamphlet Laws 290), is amended to read:

Section 12. (a) Any person who possesses [,sells, dispenses or gives away] any drugs in violation of the provisions of this act shall be guilty of a felony; and, upon conviction thereof, shall be sentenced as follows: for a first offense, to pay a fine not exceeding two thousand dollars (\$2000) [and] or to undergo imprisonment

[of not less than two (2) years and] *by separate or solitary confinement at labor* not exceeding five (5) years, *or both*; for a second offense, or, if in case of a first conviction of violation of any provisions of this [act] *section*, the offender shall previously have been convicted of any violation of the laws of the United States or of any other state, territory or district relating to drugs, *and said violation would have been a violation of the provisions of this section had it occurred in this Commonwealth*, to pay a fine not exceeding five thousand dollars (\$5000) [and] *or to undergo imprisonment* [of not less than five (5) years and] *by separate or solitary confinement at labor* not exceeding ten (10) years, *or both*; and for a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of *this section* or the law of the United States or of any other state, territory or district relating to drugs, *and said violation would have been a violation of the provisions of this section had it occurred in this Commonwealth*, to pay a fine not exceeding seven thousand five hundred dollars (\$7500) [and] *or to undergo an imprisonment* [of not less than ten (10) years and] *by separate or solitary confinement at labor* not exceeding thirty (30) years, *or both*.

Second offense.

Third or subsequent offense.

(a1) *Any person who sells, dispenses or gives away any drugs in violation of the provisions of this act shall be guilty of a felony, and, upon conviction thereof, shall be sentenced as follows: for a first offense, to pay a fine not exceeding five thousand dollars (\$5000) or to undergo imprisonment by separate or solitary confinement at labor not exceeding ten (10) years, or both; for a second offense, or, if in case of a first conviction of violation of any provisions of this section, the offender shall previously have been convicted of any violation of the laws of the United States or of any other state, territory or district relating to drugs, and said violation would have been a violation of the provisions of this section had it occurred in this Commonwealth, to pay a fine not exceeding ten thousand dollars (\$10,000) or to undergo imprisonment by separate or solitary confinement at labor not exceeding twenty (20) years, or both; and for a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of this section or the law of the United States or of any other state, territory or district relating to drugs, and said violation would have been a violation of the provisions of this section had it occurred in this Commonwealth, to pay a fine not exceeding fifteen thousand dollars (\$15,000) or to undergo*

Sale, dispensing, etc. of drugs in violation of this act made a felony.

First offense.

Second offense.

Third or subsequent offense.

*imprisonment by separate or solitary confinement at labor for the term of his natural life.*

Power of courts.

(a2) [Except in the case of conviction for a first offense for violation of the provisions of this subsection, the imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum imprisonment herein provided for the offense shall have been served] *The \*courts shall have power to suspend the imposition or execution of sentence and grant probation or parole only in the case of conviction for a first offense for violation of the provisions of this section.*

Penalty for violation of any other provisions of this act.

(b) Any person who shall violate, or fail to comply with, any of the other provisions of this act, except as provided in the last paragraph of section eight, shall be guilty of a felony; and, upon conviction, shall be sentenced to pay a fine not exceeding two thousand dollars, or to undergo an imprisonment not exceeding five years, or both, at the discretion of the court.

Violations by corporations, partnerships, or associations.

(c) If the violation is by a corporation, copartnership, or association, the officers and directors of such corporation, or the members of such copartnership or association, the agents and employes, with guilty knowledge of the fact, shall be deemed guilty of a violation of the provisions of this act to the same extent as though said violation were committed by them personally.

APPROVED—The 29th day of May, A. D. 1956.

GEORGE M. LEADER

No. 602

AN ACT

Amending the act of May eleven, one thousand nine hundred forty-nine (Pamphlet Laws 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; limiting the amount of such insurance; prescribing standard policy provisions; and requiring notice of conversion privileges," extending the types permitted and fixing requirements thereof.

Group life insurance.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Subsection (3), section 1, act of May 11, 1949, P. L. 1210, amended June 28, 1951, P. L. 605, further amended.

Section 1. Subsection (3) of section one, act of May eleven, one thousand nine hundred forty-nine (Pamphlet Laws 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights there-

\* "court" in original.