

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 2: CONTRABAND OFFENSES

§ 2404. Penalties and Procedures.

(a) Any person who violates the provisions of this chapter shall be guilty of a misdemeanor and shall, upon a first conviction, be imprisoned for not more than 90 days or fined not more than \$500, or both.

(b) Upon a second or subsequent conviction for a violation of this chapter, a person shall be imprisoned for not more than one year or fined not more than \$2,000, or both.

(c) In addition to, or in lieu of, the penalties prescribed in subsections (a) and (b), a court may require that a person convicted of violating this chapter receive treatment and counseling.

Source: PL 9-65, § 7; (c) added by PL 14-58, § 2(1).

Commission Comment: PL 14-58 was enacted on January 27, 2005, created 3 CMC § 2201, and contained findings and purpose, severability, and savings clause provisions. The findings and purpose of PL 14-58 stated:

Section 1. Findings and Purpose. The Legislature finds that inhalant abuse of toxic vapors especially among the youth has remained unchanged as a result of primarily three factors: (a) availability and accessibility of a wide range of products containing toxic vapors; (b) the corresponding difficulty in enforcing and prosecuting violations; to combat this serious public health threat, the Act emphasizes public education by mandating the Department of Public Health to develop public education programs aimed at parents, other responsible adults, and business which sell products containing toxic vapors and, if deemed necessary, to require businesses to keep an official record on the sales of such products; the Act also provides that offenders may be required to attend a substance abuse treatment program in lieu of the fine or imprisonment punishment under existing statute; and (c) continuing transformation of the CNMI demographic, cultural and population landscape.