

CHAPTER 205.

[S. B. 173.]

DANGEROUS DRUGS.

AN ACT relating to the procurement and use of dangerous drugs; adding new sections to chapter 69.50 RCW; amending section 2072, Code of 1881 as amended by section 418, chapter 249, Laws of 1909 and RCW 9.91.030; and providing penalties.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. There is added to chapter 69.40 RCW a new section to read as follows: New section.

Any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, public or private, which is resorted to by users of dangerous drugs as defined in this chapter, or which is used for the illegal keeping, selling, giving away or bartering of the same, shall be deemed a public nuisance. No person shall keep or maintain such a public nuisance. Dangerous drugs.
Places where used, public nuisance—
Unlawful.

SEC. 2. There is added to chapter 69.40 RCW a new section to read as follows: New section.

(1) No person shall obtain or attempt to obtain a dangerous drug, or procure or attempt to procure the administration of a dangerous drug, (a) by fraud, deceit, misrepresentation, or subterfuge; or (b) by the forgery or alteration of a prescription or of any written order; or (c) by the concealment of a material fact; or (d) by the use of a false name or the giving of a false address. Unlawful practices—
Communications not privileged.

(2) Information communicated to a physician in an effort unlawfully to procure a dangerous drug, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.

(3) No person shall willfully make a false state-

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ment in any prescription, order, report, or record, required by this chapter.

(4) No person shall, for the purpose of obtaining a dangerous drug, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, apothecary, physician, dentist, veterinarian, or other authorized person.

(5) No person shall make or utter any false or forged prescription or false or forged written order.

(6) No person shall affix any false or forged label to a package or receptacle containing dangerous drugs.

New section.

SEC. 3. There is added to chapter 69.40 RCW a new section to read as follows:

Search and
seizure.

If, upon the sworn complaint of any person, it shall be made to appear to any judge of the superior court or justice of the peace that there is probable cause to believe that any dangerous drug is being used, manufactured, sold, bartered, exchanged, given away, furnished or otherwise disposed of or kept in violation of the provisions of this chapter, such justice of the peace or judge shall, with or without the approval of the prosecuting attorney, issue a warrant directed to any peace officer in the county, commanding him to search the premises designated and described in such complaint and warrant, and to seize all dangerous drugs there found, together with the vessels in which they are contained, and all implements, furniture and fixtures used or kept for the illegal manufacture, sale, barter, exchange, giving away, furnishing or otherwise disposing of such dangerous drugs and to safely keep the same, and to make a return of said warrant within three days, showing all acts and things done thereunder, with a particular statement of all articles seized and the name of the person or persons in whose possession the same were found, if any, and if no person be found in the possession of said articles, the returns

shall so state. A copy of said warrant shall be served upon the person or persons found in possession of any such dangerous drugs, furniture or fixtures so seized, and if no person be found in the possession thereof, a copy of said warrant shall be posted on the door of the building or room wherein the same are found, or, if there be no door, then in any conspicuous place upon the premises.

SEC. 4. Section 2072, Code of 1881 as amended by section 418, chapter 249, Laws of 1909 and RCW 9.91.030 are each amended to read as follows:

RCW 9.91.030 amended.

Every person who shall open, conduct or maintain, as owner or employee, any place where opium, morphine, alkaloid-cocaine or alpha or beta eucaine or any derivative, mixture or preparation of any of them, or any dangerous drug described in RCW 69.40.060, shall be in any manner used by persons resorting thereto for the purpose; and every person who shall visit or resort to such place for the purpose of using in any manner any of said drugs, shall be guilty of a gross misdemeanor.

Places where narcotics, dangerous drugs used, unlawful.

Passed the Senate March 13, 1963.

Passed the House March 11, 1963.

Approved by the Governor March 26, 1963.