

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 727
Committee Substitute Favorable 4/29/93

Short Title: Public Housing/Drug Free Zones.

(Public)

Sponsors:

Referred to:

April 5, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT CERTAIN DRUG OFFENSES COMMITTED ON
3 THE PREMISES OF OR WITHIN THREE HUNDRED FEET OF A PUBLIC
4 HOUSING FACILITY ARE CLASS E FELONIES.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 90-95(e) is amended by adding a new subdivision to read:

7 "(10) Any person 21 years of age or older who commits an offense under
8 G.S. 90-95(a)(1) on the premises of or within 300 feet of the boundary
9 of a public housing facility shall be punished as a Class E felon. For
10 purposes of this subdivision, the transfer of less than five grams of
11 marijuana for no remuneration shall not constitute a delivery in
12 violation of G.S. 90-95(a)(1). A person sentenced under this
13 subdivision must serve a mandatory term of imprisonment of no less
14 than two years, notwithstanding the provisions of G.S. 90-95(h)(5) or
15 any other law. The sentencing judge may not suspend the mandatory
16 two-year term of imprisonment or place the person on probation for
17 the mandatory two-year term of imprisonment. During that time the
18 prisoner is not eligible for early parole or early release."

19 Sec. 2. This act becomes effective December 1, 1993, and applies to offenses
20 committed on or after that date.