

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 948

Short Title: Suspend Prof. License/Drug Felony.

(Public)

Sponsors: Representatives Hayes; and Decker.

Referred to: Judiciary II.

April 15, 1993

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE SUSPENSION OR REVOCATION OF PROFESSIONAL AND OCCUPATIONAL LICENSES OR CERTIFICATIONS OF A DEFENDANT CONVICTED OF A STATE OR FEDERAL DRUG OFFENSE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-98.1. Suspension or revocation of professional and occupational licenses or certifications for controlled substance convictions.

(a) As used in this section, unless the context clearly requires otherwise:

(1) 'License' means any license (specifically including, but not limited to, privilege or business licenses held personally by the defendant), certificate, or other evidence of qualification which an individual must obtain before engaging in, or holding oneself out as a member of, a particular profession or occupation.

(2) 'Occupational licensing board' means any board, committee, commission, or other agency in North Carolina (specifically including, but not limited to, the North Carolina State Bar and the Board of Medical Examiners of the State of North Carolina, and other boards as defined in Chapter 93B of the General Statutes) which is established for the primary purpose of regulating the entry of persons into, or the conduct of persons within, or both, a particular profession or occupation, and which is authorized to issue licenses.

1 (b) Upon conviction in any court of competent jurisdiction of a violation of any
2 of the provisions of this Article or the Federal Drug Abuse Prevention and Control Act
3 (21 U.S.C. Chapter 13, or a successor statute) which constitutes a felony, the clerk of
4 court shall forward a certified copy of the judgment of conviction to the occupational
5 licensing board by which the convicted defendant had been licensed to practice his
6 profession or occupation."

7 Sec. 2. This act becomes effective December 1, 1993, and applies to offenses
8 occurring on or after that date.