

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 791  
Second Edition Engrossed 5/4/95

Short Title: Three Strikes and You Walk.

(Public)

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Sponsors: Representatives Hunt; Black, Brawley, J. Brown, Buchanan, Church, Culpepper, Daughtry, Decker, Gardner, Hensley, Hill, Howard, Justus, Locke, Luebke, McCombs, G. Miller, Mitchell, Morgan, Neely, Richardson, Rogers, Wilkins, and Wood.

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Referred to: Judiciary II.

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April 10, 1995

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT CONVICTION OF THIRD OR SUBSEQUENT  
3 DRIVING WHILE IMPAIRED MAKES MOTOR VEHICLE SUBJECT TO  
4 FORFEITURE.

5 The General Assembly of North Carolina enacts:

6 Section 1. The catch line for G.S. 20-28.2 reads as rewritten:

7 "**§ 20-28.2. Forfeiture of motor vehicle for impaired driving after impaired driving**  
8 **license ~~revocation, revocation and after third or subsequent conviction for~~**  
9 **driving while impaired.**"

10 Sec. 2. G.S. 20-28.2(b) reads as rewritten:

11 "(b) When Motor Vehicle Becomes Property Subject to Forfeiture. – If at a  
12 sentencing hearing conducted pursuant to G.S. 20-179 the judge determines ~~that that:~~

13 (1) ~~the~~ The grossly aggravating factor described in G.S. 20-179(c)(2)  
14 ~~applies, applies; or~~

15 (2) The defendant has two or more prior convictions for offenses involving  
16 impaired driving,

- 1 the motor vehicle that was driven by the defendant at the time he committed the offense
- 2 of impaired driving becomes property subject to forfeiture."
- 3           Sec. 3. This act becomes effective December 1, 1995.