

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 162\*

Short Title: Increase Penalty for Certain Drug Sales.

(Public)

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Sponsors: Representatives Crawford; Aldridge, Capps, Davis, Sexton, and Watson.

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Referred to: Judiciary I.

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February 13, 1997

A BILL TO BE ENTITLED

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2 AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY  
3 ADVISORY COMMISSION'S RECOMMENDATION TO INCREASE THE  
4 CRIMINAL PENALTY FOR THE SALE OF CERTAIN CONTROLLED  
5 SUBSTANCES.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 90-95(b) reads as rewritten:

8 "(b) Except as provided in subsections (h) and (i) of this section, any person who  
9 violates G.S. 90-95(a)(1) with respect to:

10 (1) A controlled substance classified in Schedule I or II shall be punished as  
11 a Class H ~~felon; felon~~, except that the sale of a controlled substance  
12 classified in Schedule I or II shall be punished as a Class G felon;

13 (2) A controlled substance classified in Schedule III, IV, V, or VI shall be  
14 punished as a Class I felon, except that the sale of a controlled substance  
15 classified in Schedule III, IV, V, or VI shall be punished as a Class H  
16 felon. ~~but the~~ The transfer of less than 5 grams of marijuana for no  
17 remuneration shall not constitute a delivery in violation of G.S. 90-  
18 95(a)(1)."

19 Section 2. This act becomes effective December 1, 1997, and applies to  
20 offenses committed on or after that date.