

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 870

Short Title: Amend Marijuana Trafficking Amts.

(Public)

Sponsors: Senators Rand; Cooper, Hoyle, Miller, Perdue, and Reeves.

Referred to: Judiciary.

April 15, 1997

A BILL TO BE ENTITLED

AN ACT TO AMEND THE OFFENSE OF TRAFFICKING IN MARIJUANA BY CHANGING THE AMOUNT OF MARIJUANA THAT WOULD BE CONSIDERED TRAFFICKING.

The General Assembly of North Carolina enacts:

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

"(h) Notwithstanding any other provision of law, the following provisions apply except as otherwise provided in this Article.

(1) Any person who sells, manufactures, delivers, transports, or possesses in excess of ~~50~~ 10 pounds (avoirdupois) of marijuana shall be guilty of a felony which felony shall be known as "trafficking in marijuana" and if the quantity of such substance involved:

a. Is in excess of 10 pounds, but less than 50 pounds, such person shall be punished as a Class I felon and shall be sentenced to a minimum term of 12 months and a maximum term of 15 months in the State's prison and shall be fined not less than two thousand five hundred dollars (\$2,500);

~~a.1.~~ Is in excess of 50 pounds, 50 pounds or more, but less than 100 pounds, such person shall be punished as a Class H felon and shall be sentenced to a minimum term of 25

- 1 months and a maximum term of 30 months in the State's
2 prison and shall be fined not less than five thousand dollars
3 (\$5,000);
- 4 b. Is 100 pounds or more, but less than 2,000 pounds, such person
5 shall be punished as a Class G felon and shall be sentenced to a
6 minimum term of 35 months and a maximum term of 42 months
7 in the State's prison and shall be fined not less than twenty-five
8 thousand dollars (\$25,000);
- 9 c. Is 2,000 pounds or more, but less than 10,000 pounds, such
10 person shall be punished as a Class F felon and shall be
11 sentenced to a minimum term of 70 months and a maximum term
12 of 84 months in the State's prison and shall be fined not less than
13 fifty thousand dollars (\$50,000);
- 14 d. Is 10,000 pounds or more, such person shall be punished as a
15 Class D felon and shall be sentenced to a minimum term of 175
16 months and a maximum term of 219 months in the State's prison
17 and shall be fined not less than two hundred thousand dollars
18 (\$200,000)."
- 19 Section 2. This act becomes effective December 1, 1997, and applies to
20 offenses committed on or after that date.