

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1319

Short Title: Death Penalty for Drug Offenses.

(Public)

Sponsors: Representatives Dawkins; and Decker.

Referred to: Judiciary.

April 12, 1989

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT THE DEATH PENALTY MAY BE IMPOSED FOR CONVICTION OF DRUG OFFENSES.

The General Assembly of North Carolina enacts:

Section 1. Article XI, Section 2 of the Constitution of North Carolina reads as rewritten:

"Sec. 2. Death punishment.

The object of punishments being not only to satisfy justice, but also to reform the offender and thus prevent crime, murder, arson, burglary, drug offenses, and rape, and these only, may be punishable with death, if the General Assembly shall so enact."

Sec. 2. The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at the general election in November 1990, which election shall be conducted under the laws then governing elections in the State. At that election, each qualified voter desiring to vote shall be provided a ballot on which shall be printed the following:

[ ] FOR Constitutional amendment allowing the death penalty to be imposed for drug offenses.

[ ] AGAINST Constitutional amendment allowing the death penalty to be imposed for drug offenses."

Those qualified voters favoring the amendment set out in Section 1 of this act shall vote by making an X or a check mark in the square beside the statement beginning "FOR", and those qualified voters opposed to that amendment shall vote by making an X or check mark in the square beside the statement beginning "AGAINST".

1                   Notwithstanding the foregoing provisions of this section, voting machines  
2 may be used in accordance with rules and regulations prescribed by the State Board of  
3 Elections.

4                   Sec. 3. If a majority of votes cast thereon are in favor of the amendment set  
5 out in Section 1 of this act, the State Board of Elections shall certify the amendment to  
6 the Secretary of State, who shall enroll the amendment so certified among the  
7 permanent records of his office, and the amendment shall become effective upon such  
8 certification.

9                   Sec. 4. This act is effective upon ratification.