

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 508

Short Title: Felony to Fortify Drug House.

(Public)

Sponsors: Representatives Huffman; Bowman, Ligon, and Wilson.

Referred to: Judiciary III.

April 1, 1991

A BILL TO BE ENTITLED

AN ACT TO CREATE THE FELONY OFFENSE OF FORTIFYING A STRUCTURE USED FOR THE ILLEGAL SALE, DELIVERY, MANUFACTURE, OR POSSESSION OF A CONTROLLED SUBSTANCE FOR THE PURPOSE OF SUPPRESSING OR IMPEDING LAW ENFORCEMENT ENTRY.

The General Assembly of North Carolina enacts:

Section 1. Article 5 of Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-97.1. Fortification of structure used to illegally manufacture, sell, deliver, or possess a controlled substance.

(a) It is unlawful for any person to fortify a structure in which a controlled substance is, or is intended to be manufactured, sold, delivered, or possessed by that person in violation of this Article in such a way as to suppress or impede law enforcement entry. A violation of this subsection shall be a Class I felony.

(b) As used in this section:

(1) 'Booby trap' means any concealed or camouflaged device designed to cause bodily injury when triggered by any action of any person making contact with the device or a tripping mechanism;

(2) 'Fortify' includes but is not limited to, installing booby traps, alarm or surveillance systems, high-security fencing, barricading window or doors, maintenance attack dogs, or similar measures to impede entry into a structure;

(3) 'Structure' means any building, shed, or outbuilding, or part hereof, whether abandoned or occupied, whether complete or under

1 construction, and whether used or intended for use for residential,
2 commercial, office, storage, or public purposes."

3 Sec. 2. This act becomes effective October 1, 1991, and applies to offenses
4 occurring on or after that date.