

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 671

Short Title: Local Parks, Etc./Drug-Free Zones.

(Public)

Sponsors: Representatives Cummings; Alphin, Arnold, Barbee, Berry, Black, Bowman, D. Brown, Culp, Cunningham, Daughtry, Edwards, Fitch, Gist, Gottovi, Grady, Hill, Judy Hunt, H. Hunter, Joye, Kinney, Lutz, McAllister, Mercer, Michaux, Mitchell, Nichols, C. Preston, Rogers, Russell, Smith, Spears, Sutton, Wainwright, and P. Wilson.

Referred to: Judiciary I.

March 30, 1993

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CERTAIN DRUG OFFENSES COMMITTED ON THE PREMISES OF, OR WITHIN THREE HUNDRED FEET OF, A PARK, PLAYGROUND, OR RECREATIONAL CENTER OWNED BY A LOCAL GOVERNMENT ARE CLASS E FELONIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-95(e) is amended by adding a new subdivision to read:

"(10) Any person 21 years of age or older shall be punished as a Class E felon if the person commits an offense under G.S. 90-95(a) either: (i) on the premises of a park, playground, or recreational center owned by a local government, or (ii) within 300 feet of the boundary of real property owned by a local government that is a park, playground, or recreational center. A person sentenced under this subdivision must serve a mandatory term of imprisonment of no less than two years, notwithstanding the provisions of G.S. 90-95(h)(5) or any other law. The sentencing judge may not suspend the mandatory two-year term of imprisonment or place the person on probation for the mandatory two-year term of imprisonment. During that time the prisoner is not eligible for early parole or early release."

Sec. 2. This act becomes effective October 1, 1993, and applies to offenses committed on or after that date.