

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 671
Committee Substitute Favorable 4/28/93

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

(Public)

Sponsors:

Referred to:

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)(1) 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. For purposes of this subdivision, the transfer of less than five grams of marijuana for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1). 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."

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