

GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 1994

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HOUSE BILL 189

Short Title: Restore Habitual Felon Law.

(Public)

Sponsors: Representatives Dickson; Gardner, Robinson, and Sexton.

Referred to: Judiciary III.

February 14, 1994

A BILL TO BE ENTITLED
AN ACT TO REMOVE THE RESTRICTIONS ON THE HABITUAL FELON LAW
THAT WERE ADDED BY STRUCTURED SENTENCING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-7.6 reads as rewritten:

"§ 14-7.6. (Effective January 1, 1995) Sentencing of habitual felons.

When an habitual felon shall commit any felony classified as a Class E, F, G, H, or I felony under the laws of the State of North Carolina, he must, upon conviction or plea of guilty under indictment as herein provided, be punished as a Class D felon. In determining the prior record level, convictions used to establish a person's status as a habitual felon shall not be used. ~~For purposes of this section, habitual felon is defined as in G.S. 14-7.1, except that only one of the three felony convictions may be for a Class H, I, or J felony.~~ Sentences imposed under this Article shall run consecutively with and shall commence at the expiration of any sentence being served by the person sentenced hereunder."

Sec. 2. This act becomes effective January 1, 1995, and applies to offenses committed on or after that date.