

GENERAL ASSEMBLY OF NORTH CAROLINA  
1995 SESSION

CHAPTER 375  
SENATE BILL 597

AN ACT TO PROVIDE THAT A DEFENDANT WHO IS CONVICTED OF A DRUG TRAFFICKING CONSPIRACY IS NOT ELIGIBLE FOR INTERMEDIATE SANCTIONS UNDER THE STRUCTURED SENTENCING ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.13(h) reads as rewritten:

"(h) Exceptions When Extraordinary Mitigation Shall Not Be Used. – The court shall not impose an intermediate sanction pursuant to subsection (g) of this section if:

- (1) The offense is a Class A or Class B1 felony;
- (2) The offense is a drug trafficking offense under ~~G.S. 90-95(h)~~; G.S. 90-95(h) or a drug trafficking conspiracy offense under G.S. 90-95(i); or
- (3) The defendant has five or more points as determined by G.S. 15A-1340.14."

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

In the General Assembly read three times and ratified this the 5th day of July, 1995.

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Dennis A. Wicker  
President of the Senate

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Harold J. Brubaker  
Speaker of the House of Representatives