

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH10253-LHz-193 (4/13)

Short Title: Manufacture of Meth/Increase Penalty. (Public)

Sponsors: Representatives Haire and Kiser (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO INCREASE THE CRIMINAL PENALTY FOR THE UNLAWFUL
3 MANUFACTURE OF METHAMPHETAMINE AS RECOMMENDED BY THE
4 JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE
5 JUSTICE OVERSIGHT COMMITTEE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 90-95(b) reads as rewritten:

8 "(b) Except as provided in subsections (h) and (i) of this section, any person who
9 violates G.S. 90-95(a)(1) with respect to:

10 (1) A controlled substance classified in Schedule I or II shall be punished
11 as a Class H felon, except ~~that~~ as follows: (i) the sale of a controlled
12 substance classified in Schedule I or II shall be punished as a Class G
13 felon; felony, and (ii) the manufacture of methamphetamine shall be
14 punished as provided by subdivision (1a) of this subsection.

15 (1a) The manufacture of methamphetamine shall be punished as a Class C
16 felony unless the offense was one of the following: packaging or
17 repackaging methamphetamine, or labeling or relabeling the
18 methamphetamine container. The offense of packaging or repackaging
19 methamphetamine, or labeling or relabeling the methamphetamine
20 container shall be punished as a Class H felony.

21 (2) A controlled substance classified in Schedule III, IV, V, or VI shall be
22 punished as a Class I felon, except that the sale of a controlled
23 substance classified in Schedule III, IV, V, or VI shall be punished as a
24 Class H felon. The transfer of less than 5 grams of marijuana for no
25 remuneration shall not constitute a delivery in violation of
26 G.S. 90-95(a)(1)."

1 **SECTION 2.** This act becomes effective December 1, 2004, and applies to
2 offenses committed on or after that date.