

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 1749  
Committee Substitute Favorable 5/23/07

Short Title: Sale of Drugs Near Parks.

(Public)

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Sponsors:

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Referred to:

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April 19, 2007

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE PENALTY FOR THE ILLEGAL SALE OF DRUGS IF  
2 THE TRANSACTION OCCURS IN OR NEAR A PUBLIC PARK.

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4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 90-95(e)(10) reads as rewritten:

6 "(10) Any person 21 years of age or older who commits an offense under  
7 G.S. 90-95(a)(1) on property that is ~~a playground in~~ a public park or  
8 within 300 feet of the boundary of real property that is ~~a playground in~~  
9 a public park shall be punished as a Class E felon. For purposes of this  
10 subdivision, the transfer of less than five grams of marijuana for no  
11 remuneration shall not constitute a delivery in violation of  
12 G.S. 90-95(a)(1). ~~For purposes of this subdivision the term~~  
13 ~~"playground" means any outdoor facility (including any parking lot~~  
14 ~~appurtenant thereto) intended for recreation open to the public, and~~  
15 ~~with any portion thereof containing three or more separate apparatuses~~  
16 ~~intended for the recreation of children including, but not limited to,~~  
17 ~~sliding boards, swingsets, and teeterboards."~~

18 **SECTION 2.** This act becomes effective December 1, 2007, and applies to  
19 offenses committed on or after that date.