GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H **1**

HOUSE BILL 1550*

Short Title: Increase Penalty for Drug Sales. (Public)

Sponsors: Representatives Redwine, Barnes, Michaux; Cummings, Sexton, Bowman, Jeffus, Hill, and Colton.

Referred to: Judiciary I.

May 25, 1994

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR THE SALE OF CONTROLLED SUBSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-95(b) reads as rewritten:

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

(1) A controlled substance classified in Schedule I or II shall be punished as a Class H ~~felon;~~ felon, except that the sale of a controlled substance classified in Schedule I or II shall be punished as a Class G felon;

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

Sec. 2. This act becomes effective October 1, 1994, and applies to offenses committed on or after that date.