

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 871
SENATE BILL 318

AN ACT PROVIDING FOR MANDATORY PRISON CONFINEMENT FOR PERSONS
CONVICTED OF ARMED ROBBERY OR BURGLARY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-87, as it appears in the 1975 Cumulative Supplement to Volume 1B, is amended by adding a new subsection (c) to read as follows:

"(c) Any person who has been convicted of a violation of G.S. 14-87(a) shall serve the first seven years of his sentence without benefit of parole, probation, suspended sentence, or any other judicial or administrative procedure except such time as may be allowed as a result of good behavior, whereby the period of actual incarceration of the person sentenced is reduced to a period of less than seven years. Sentences imposed pursuant to this section shall run consecutively with and shall commence at the expiration of any other sentences being served by the person sentenced hereunder.

Notwithstanding any other provision of law, neither the Parole Commission nor any other agency having responsibility for release of inmates prior to expiration of sentences shall authorize the release of an inmate sentenced under this section prior to his having been incarcerated for seven years except such time as may be allowed as a result of good behavior."

Sec. 2. G.S. 14-52, as it appears in the 1975 Cumulative Supplement to Volume IB of the General Statutes, is rewritten to read as follows:

"§ 14-52. **Punishment for burglary.** — (a) Any person convicted of burglary in the first degree shall be imprisoned for life in the State's prison. Anyone convicted of the crime of burglary in the second degree shall be punished by imprisonment for not less than seven years nor more than life imprisonment in the State's prison.

(b) Any person who has been convicted of a violation of G.S. 14-52(a) shall serve the first seven years of his sentence without benefit of parole, probation, suspended sentence, or any other judicial or administrative procedure except such time as may be allowed as a result of good behavior, whereby the period of actual incarceration of the person sentenced is reduced to a period of less than seven years. Sentences imposed pursuant to this section shall run consecutively with and shall commence at the expiration of any other sentences being served by the person sentenced hereunder.

Notwithstanding any other provision of law, neither the Parole Commission nor any other agency having responsibility for release of inmates prior to expiration of sentences shall authorize the release of an inmate sentenced under this section prior to his having been incarcerated for seven years, except such time as may be allowed for good behavior."

Sec. 3. Each business establishment in this State, to which has been issued a retail sales tax license, is authorized to display a cardboard placard not less than 8 inches by 11 inches which shall bear the following inscription in letters not less than three-fourths inch high:

"By Act of the North Carolina General Assembly Any Person Convicted of Armed Robbery Shall Serve a Sentence of No Less Than 7 Years of Imprisonment Without Probation or Parole."

Sec. 4. This act shall apply to all offenses committed on or after the effective date of this act.

Sec. 5. This act shall in no manner impair the powers of the Governor under the provisions of Article III, Section 6, of the North Carolina Constitution.

Sec. 6. G.S. 14-87(a), as it appears in the 1975 Cumulative Supplement to Volume IB, is amended in the ninth line by substituting the word "seven" for the word "five".

Sec. 7. In the event of any conflict between the provisions of this act and the provisions of Article 3B of G.S. Chapter 148, the provisions of Article 3B shall control and remain in full force and effect.

Sec. 8. This act shall become effective on October 1, 1977.

In the General Assembly read three times and ratified, this the 1st day of July, 1977.