

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 963

Short Title: Must Serve Mandatory Drug Sentence.

(Public)

Sponsors: Senator Shaw.

Referred to: Election Laws.

April 19, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A PERSON CONVICTED OF A DRUG VIOLATION SHALL SERVE AT LEAST TEN PERCENT OF THE FIRST ONE HUNDRED YEARS OF THE MANDATORY MINIMUM SENTENCE FOR THE OFFENSE, AND FIVE PERCENT OF THE SECOND HUNDRED YEARS OF THE MANDATORY MINIMUM SENTENCE REGARDLESS OF WHETHER THE PERSON HAS PROVIDED SUBSTANTIAL ASSISTANCE IN THE IDENTIFICATION, ARREST, OR CONVICTION OF OTHER PERSONS INVOLVED IN THE DRUG VIOLATIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-95 is amended by adding a new section to read:

"(j) Notwithstanding G.S. 90-95(h)(5), a person sentenced under this section shall serve an active term of imprisonment of no less than ten percent (10%) of the first one hundred years of the mandatory minimum sentence imposed for a drug violation and no less than five percent (5%) of the second hundred years of the mandatory minimum sentence imposed for a drug violation, regardless of whether the person has given substantial assistance in the identification, arrest, or conviction of other persons involved in the drug violations as provided by G.S. 90-95(h)."

Sec. 2. This act shall become effective October 1, 1989, and shall apply to offenses occurring on or after that date.