

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 964

Short Title: Drug Free Schools.

(Public)

Sponsors: Senator Guy.

Referred to: Constitution.

April 19, 1989

A BILL TO BE ENTITLED

AN ACT TO STRENGTHEN THE PENALTY FOR A DRUG VIOLATION THAT OCCURS WITHIN ONE THOUSAND FEET OF SCHOOL PROPERTY.

The General Assembly of North Carolina enacts:

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

"(j) Notwithstanding the other provisions of this section, a person convicted of a violation of G.S. 90-95(a)(1) or G.S. 90-95(a)(2) that takes place (i) within 1,000 feet of the boundary of real property used for a public or private elementary, middle, or secondary school, or a public or private college or university, or (ii) while on or within 1000 feet of a school bus, activity bus, or any other vehicle used to transport students to and from a school, college, or university shall, upon conviction of that felony, in addition and consecutive to the sentence prescribed for the felony be punished by an additional term of imprisonment equal to the sentence imposed by G.S. 90-95 for the violation of the felony for which the defendant is convicted.

A person sentenced under this subsection is not eligible for early release or early parole and the sentencing judge may not suspend the sentence or place the person sentenced on probation. A person who violates this subsection may not enter a plea bargain arrangement for the violation under this subsection and the court may not accept a plea bargain arrangement under this subsection."

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