

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 457

Short Title: Drug Felons Lose Ed. Aid.

(Public)

Sponsors: Representatives Morgan; Bowman, Privette, and Wilson.

Referred to: Judiciary III.

April 1, 1991

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR THE TEMPORARY OR PERMANENT DENIAL OF
2 STATE AID FOR HIGHER EDUCATION FOR CERTAIN DRUG
3 CONVICTIONS.
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5 The General Assembly of North Carolina enacts:

6 Section 1. Article 5 of Chapter 90 of the General Statutes is amended by
7 adding a new section to read:

8 **"§ 90-98.2. Denial of State education aid for controlled substance convictions.**

9 (a) As used in this section, unless the context clearly requires otherwise:

10 (1) 'Authority' means the State Educational Assistance Authority created
11 under G.S. 116-203.

12 (2) 'Financial assistance' means any loans, grants, or scholarships for
13 higher education, including two and four year colleges and universities
14 and community colleges, that use State funds or guarantees, including
15 all the programs regulated or administered by the authority.

16 (b) Any person who is convicted in any court of competent jurisdiction of a
17 felony under any of the provisions of this Article or the Federal Drug Abuse Prevention
18 and Control Act, or a successor statute, shall:

19 (1) For the first conviction, be ineligible for any State financial assistance
20 for no less than one year from the date of the conviction; and

21 (2) For the second conviction, be permanently ineligible for any State
22 financial assistance.

23 (c) The penalties required by this section shall in no way limit the ability of the
24 Authority to impose more severe penalties it may by law impose at its discretion.

1 (d) The State Educational Assistance Authority and the Judicial Department shall
2 adopt joint rules to implement this section. These rules shall include:

3 (1) Rules to ensure that all applicants for financial aid certify as to any
4 conviction or convictions they may have received for a felony
5 described in subsection (b) of this section;

6 (2) Rules to develop a procedure to verify the certified applications; and

7 (3) Rules to develop a procedure to ensure that the Authority is notified
8 when any student at any two or four year college or university or
9 community college in this State receives a conviction of a felony
10 described in subsection (b) of this section."

11 Sec. 2. This act becomes effective January 1, 1992, and applies to academic
12 years beginning with the 1992-93 academic year.