

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 762

Short Title: Drug Possession in Prison.

(Public)

Sponsors: Senator Sands.

Referred to: Judiciary II.

April 24, 1991

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT A PERSON CONVICTED OF POSSESSION OF A
2 CONTROLLED SUBSTANCE ON PRISON OR JAIL PREMISES SHALL BE
3 GUILTY OF A CLASS H FELONY.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 90-95(e) is amended by adding a new subdivision to read:

7 "(9) Any person who violates G.S. 90-95(a)(3) on the premises of a penal
8 institution or local confinement facility shall be guilty of a Class H
9 felony. A person sentenced under this subdivision shall serve a
10 mandatory term of imprisonment of no less than two years for a
11 violation of this subdivision which shall run consecutively with and
12 shall commence at the expiration of any sentence already being served
13 by that person. The sentencing judge may not suspend the mandatory
14 two-year term of imprisonment."

15 Sec. 2. This act becomes effective October 1, 1991, and applies to offenses
16 committed on or after that date.