

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 4*

Short Title: Violent Felonies/Effective Date.

(Public)

Sponsors: Representatives G. Miller; Alphin, Arnold, Baddour, Barbee, Black, Bowie, Bowman, Burton, Church, Cole, Colton, Crawford, Cromer, Culp, Cummings, Diamont, Dickson, Easterling, Gardner, Gottovi, Griffin, Hall, Hayes, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Jarrell, Jeffus, Jenkins, Joye, Kuczmariski, Lemmond, Lutz, Mavretic, McCrary, McLaughlin, McLawhorn, Mercer, Moore, Mosley, Nichols, C. Preston, Ramsey, Redwine, Robinson, Russell, Sexton, Smith, Spears, Stewart, Sutton, Warner, Wilkins, and Wilmoth.

Referred to: Judiciary III.

February 8, 1994

A BILL TO BE ENTITLED

AN ACT TO REVISE THE EFFECTIVE DATE OF STRUCTURED SENTENCING FOR CERTAIN VIOLENT OFFENSES.

The General Assembly of North Carolina enacts:

Section 1. Section 56 of Chapter 538 of the 1993 Session Laws reads as rewritten:

"Sec. 56. This act becomes effective on March 1, 1994, for felony Classes A through E as classified in this act and as classified in Chapter 539 of the 1993 Session Laws and applies to offenses occurring on or after that date. Prosecutions for, or sentences based on, offenses occurring before the effective date of this act are not abated or affected by the repeal or amendment in this act of any statute, and the statutes that would be applicable to those prosecutions or sentences but for the provisions of this act remain applicable to those prosecutions or sentences. This act becomes effective January 1, 1995, for all remaining felony classes and misdemeanor offenses and applies only to offenses occurring on or after that date. Prosecutions for, or sentences based on, offenses occurring before the effective date of this act are not abated or affected by the repeal or amendment in this act of any statute, and the statutes that would be applicable

1 to those prosecutions or sentences but for the provisions of this act remain applicable to
2 those prosecutions or sentences."

3 Sec. 2. Section 1359 of Chapter 539 of the 1993 Session Laws reads as
4 rewritten:

5 "Sec. 1359. Sections 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136,
6 1137, 1138, 1139(a)-(d), 1140(b)(1) and (2), 1141, 1143, 1149(a), 1150, 1151, 1155,
7 1156, 1157, 1158, 1159, 1160, 1161, 1175, 1189, 1196, 1233, 1242(b)(3), 1266, 1305,
8 1314, 1317, and 1319 of this act become effective March 1, 1994, and apply to offenses
9 occurring on or after that date. Prosecutions for offenses committed before the effective
10 date of this act are not abated or affected by this act, and the statutes that would be
11 applicable but for this act remain applicable to those prosecutions. The remainder of
12 this ~~This~~ act becomes effective January 1, 1995, and applies to offenses occurring on or
13 after that date. Prosecutions for offenses committed before the effective date of this act
14 are not abated or affected by this act, and the statutes that would be applicable but for
15 this act remain applicable to those prosecutions."

16 Sec. 3. This act is effective upon ratification.