

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE BILL 680**

Short Title: Mandatory Jail for B.A.C. Over 0.20. (Public)

Sponsors: Representatives Capps; Dollar, Eddins, Frye, Hilton, Hollo, Holloway, Johnson, Pate, Sauls, Starnes, Steen, and Wiley.

Referred to: Judiciary I.

March 17, 2005

A BILL TO BE ENTITLED

AN ACT TO REQUIRE MANDATORY JAIL TIME, IN ADDITION TO ANY OTHER PUNISHMENT, FOR ANY PERSON CONVICTED OF DRIVING WHILE IMPAIRED WITH A BLOOD ALCOHOL LEVEL OF 0.20 OR MORE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-179 is amended by adding a new subsection to read:

"(u) A person convicted of driving while impaired where the aggravating factor listed in subdivision (d)(1) of this section is found with an alcohol concentration of 0.20 or more within a relevant time after driving in addition to and after any other punishment imposed:

(1) Shall serve a minimum mandatory 24-hour active sentence where punishment is imposed pursuant to subsections (g) through (k) of this section.

(2) Shall serve a minimum mandatory six-month active sentence where punishment is imposed pursuant to subsection (g) or (h) of this section."

**SECTION 2.** This act becomes effective December 1, 2005, and applies to offenses committed on or after that date.