



HOUSE BILL 29: Methamphetamine/Offense/Penalties

2013-2014 General Assembly

Committee:	Senate Judiciary I	Date:	June 4, 2013
Introduced by:	Reps. Horn, Faircloth, Tolson, Stevens	Prepared by:	Susan Sitze*
Analysis of:	First Edition		Committee Counsel

SUMMARY: *House Bill 29 would create the offense of possession of a pseudoephedrine product by a person previously convicted of the possession or manufacture of methamphetamine and would create an enhanced sentence for manufacturing methamphetamine under certain circumstances.*

BILL ANALYSIS:

Section 1 would create in G.S. 90-95(d1)(1) a new Class H felony offense of possessing a pseudoephedrine product if the defendant has a prior conviction for possessing or manufacturing methamphetamine.

Section 2 would amend G.S. 15A-1340.16D to increase the sentence for a conviction of manufacturing methamphetamine by 24 months if the state proves beyond a reasonable doubt that a minor or a disabled or elder adult resided or was present at a location where the offense was committed, and increased by 48 months if both a minor and a disabled or elder adult resided on the property where the crime occurred.

EFFECTIVE DATE: This act becomes effective December 1, 2013, and applies to offenses committed on or after that date.

BACKGROUND: The House Select Committee on Methamphetamine Abuse was established by the Speaker of the House in September 2011. The Committee's report to the 2013 General Assembly can be found at:

<http://www.ncleg.net/documentsites/legislativepublications/Study%20Reports%20to%20the%20NC%20General%20Assembly/Study%20Reports%20to%20the%202013%20NCGA/Methamphetamine%20Abuse%20-%20House%20Select%20Committee.pdf>

A link to the current Legislative Commission on Methamphetamine Abuse can be found at:

http://ncleg.net/gascripts/Committees/Committees.asp?sAction=ViewCommittee&sActionDetails=Non-Standing_6273

**Janice Paul, Staff Attorney, contributed substantially to this summary.*

