

April 9, 2009

**H 1307. POSSESS PRESCRIPTION DRUG/NOT DRUG TRAFFICK.** Filed 4/8/09. *TO CLARIFY THAT POSSESSION OF CERTAIN PRESCRIPTION DRUGS IS NOT PUNISHABLE AS TRAFFICKING IN OPIUM OR HEROIN AND TO SET OUT THE CRIMINAL PENALTY FOR THAT OFFENSE.*

Amends GS 90-95 to provide that the possession of Percocet is punishable as a class I, G, F, or D felony (depending on the number of tablets) rather than under the drug trafficking provisions of GS 90-95(h)(4). Effective December 1, 2009, and applies to offenses committed on or after that date.

**Intro. by Sutton.**

GS 90

May 11, 2009

**H 1307. POSSESS PRESCRIPTION DRUG/NOT DRUG TRAFFICK.** Filed 4/8/09. House committee substitute makes the following changes to 1st edition. Rewrites title of bill to read, *AN ACT TO CREATE THE HOUSE SELECT STUDY COMMISSION ON TRAFFICKING OF PRESCRIPTION MEDICATIONS.* Deletes provisions of the previous edition and, instead, creates the House Select Study Commission on Trafficking of Prescription Medications (Commission) to review state law pertaining to trafficking of controlled substances in relation to prescription medications. Commission members will be appointed by the Speaker of the House of Representatives as follows: six members of the House of Representatives; an elected district attorney (after consulting with the Conference of District Attorneys); a public defender (after consulting with the Office of Indigent Defense Services); and an attorney in private practice of criminal law. Specifies subjects the Commission must consider, and requires it to make final report to the 2010 Regular Session upon its convening. Directs the Legislative Services Commission to allocate funds appropriated to the General Assembly for expenses of the Commission.

May 12, 2009

**H 1307. POSSESS PRESCRIPTION DRUG/NOT DRUG TRAFFICK.** Filed 4/8/09. House committee substitute makes the following changes to 2nd edition. Amends Section 1.2 by adding one elected sheriff, after consultation with the North Carolina Sheriff's Association, to the proposed House Select Study Commission on Trafficking of Prescription Medications.

May 13, 2009

**H 1307. POSSESS PRESCRIPTION DRUG/NOT DRUG TRAFFICK.** Filed 4/8/09. House amendment makes the following changes to 3rd edition. Makes technical changes.

June 23, 2010

**H 1307. NO FELON AS SHERIFF (NEW) .** Filed 4/8/09. Senate committee substitute deletes all provisions of 4th edition and replaces with *AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED SHERIFF.*

Subject to approval by the voters at the statewide general election on November 2, 2010, amends Section 2 of Article VII of the North Carolina Constitution to provide that no person convicted of a felony against this state, the United States, or another state is eligible to serve as sheriff, whether or not that person has had his or her citizenship rights restored under the law. Provides that *convicted of a felony* includes the entry of a guilty plea; a verdict or finding of guilt by a jury, judge, magistrate, or other adjudicating body, tribunal, or official, either civilian or military; or a plea of no contest, nolo contendere, or the equivalent.

July 1, 2010

**SL 2010-49 (H 1307). NO FELON AS SHERIFF. AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A**

*FELONY IS ELIGIBLE TO BE ELECTED SHERIFF.* Summarized in *Daily Bulletin* 6/23/10. Enacted July 1, 2010. Effective upon certification by the State Board of elections that the constitutional amendment has passed by a majority of votes cast.