

March 27, 2009

S 1091. CLARIFY WT. MEASUREMENT/METH TRAFFICKING. Filed 3/26/09. *TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE.*

Amends GS 90-95(h)(3b) to specify that for purposes of determining the amount of methamphetamine or amphetamine present for drug trafficking purposes, the amount in a mixture containing either drug may be used. Effective September 1, 2009, and applies to offenses committed on or after that date.

Intro. by Snow.

GS 90

July 23, 2009

S 1091. CLARIFY WT. MEASUREMENT/METH TRAFFICKING. Filed 3/26/09. House amendment makes the following changes to 1st edition. Amends proposed amended GS 90-95(h)(3b) to provide that any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of methamphetamine (was, methamphetamine or amphetamine) or any mixture containing such substance is guilty of the felony known as "trafficking in methamphetamine" (was, methamphetamine or amphetamine). Enacts new GS 90-95(h)(3c) to establish the felony known as "trafficking in amphetamine" for any person selling, manufacturing, delivering, transporting, or possessing 28 grams or more of amphetamine or any mixture containing such substance. Provides that if the quantity of such substance or mixture involved is (1) 28 grams or more but less than 200 grams, the person must be punished as a Class H felon and sentenced to a minimum term of 25 months and a maximum term of 30 months and fined a minimum of \$5,000; (2) 200 grams or more but less than 400 grams, the person must be punished as a Class G felon and sentenced to a minimum term of 35 months and a maximum term of 42 months and fined a minimum of \$25,000; or (3) 400 grams or more, the person must be punished as a Class E felon and sentenced to a minimum term of 90 months and a maximum term of 117 months and fined a minimum of \$100,000. Makes conforming technical changes.

August 18, 2009

SL 2009-463 (S 1091). CLARIFY WEIGHT MEASUREMENT/METHAMPHETAMINE TRAFFICKING. *AN ACT TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE.* Summarized in *Daily Bulletin* 3/27/09 and 7/23/09. Enacted August 7, 2009. Effective September 1, 2009.