

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 212
PROPOSED COMMITTEE SUBSTITUTE H212-PCS30161-BQ-7

Short Title: Break or Enter Pharmacy/Increase Penalty. (Public)

Sponsors:

Referred to:

February 28, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE PUNISHMENT FOR BREAKING AND ENTERING A
3 PHARMACY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 14 of Chapter 14 of the General Statutes is amended by adding
6 a new section to read:

7 "**§ 14-54.2. Breaking or entering a pharmacy.**

8 (a) Definition. – The following definitions apply to this section:

9 (1) Pharmacy. – A business that has a pharmacy permit under G.S. 90-85.21.

10 (2) Controlled substance. – As defined in G.S. 90-87(5).

11 (b) Offense. – A person who breaks or enters a pharmacy with the intent to commit a
12 larceny of a controlled substance is guilty of a Class D felony.

13 (c) Additional Offense. – Unless the conduct is covered under some other provision of
14 law providing greater punishment, a person who receives or possesses any controlled substance
15 stolen in violation of subsection (b) of this section, knowing or having reasonable grounds to
16 believe the controlled substance was stolen, is guilty of a Class F felony.

17 (d) Forfeiture. – Any interest a person has acquired or maintained in property obtained in
18 violation of this section shall be subject to forfeiture pursuant to the procedures for forfeiture as
19 set forth in G.S. 90-112."

20 **SECTION 2.** This act becomes effective December 1, 2019, and applies to offenses
21 committed on or after that date.



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