

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 437
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40269-ML-22A

Short Title: Establish Drug-Free Homeless Service Zones. (Public)

Sponsors: Representative Rhyne.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH DRUG-FREE HOMELESS SERVICE ZONES AND INCREASE
3 THE PUNISHMENT IMPOSED FOR COMMITTING CERTAIN DRUG OFFENSES IN
4 A DRUG-FREE HOMELESS SERVICE ZONE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. This act shall be known as "The Drug-Free Homeless Service Zones
7 Act."

8 SECTION 2. G.S. 90-95(e) reads as rewritten:

9 "(e) The prescribed punishment and degree of any offense under this Article shall be
10 subject to the following conditions, but the punishment for an offense may be increased only by
11 the maximum authorized under any one of the applicable conditions:

12 ...

13 (8) Any person 21 years of age or older who commits an offense under
14 G.S. 90-95(a)(1) on property used for a child care center, or for an elementary
15 or secondary school or within 1,000 feet of the boundary of real property used
16 for a child care center, or for an elementary or secondary school shall be
17 punished as a Class E felon. For purposes of this subdivision, the transfer of
18 less than five grams of marijuana for no remuneration shall not constitute a
19 delivery in violation of G.S. 90-95(a)(1). For purposes of this subdivision, a
20 child care center is as defined in G.S. 110-86(3)a., and that is licensed by the
21 Secretary of the Department of Health and Human Services.

22 (8a) Any person 21 years of age or older who commits an offense under
23 G.S. 90-95(a)(1) in a drug-free homeless service zone is guilty of a Class E
24 felony. Any operator of a facility-based service who intentionally allows a
25 person to commit an offense under G.S. 90-95(a)(1) in a drug-free homeless
26 service zone is guilty of a Class 1 misdemeanor. For purposes of this
27 subdivision, the transfer of less than five grams of marijuana for no
28 remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1).
29 An operator of a facility-based service that primarily serves homeless
30 individuals shall place and maintain at least one permanently affixed sign in a
31 visible manner at the main entrance of the facility that identifies the building
32 and its accompanying grounds as a drug-free homeless service zone. The
33 following definitions apply in this subdivision:

34 a. Drug-free homeless service zone. – The area within 300 feet of a
35 facility-based service or its accompanying grounds.



- 1 b. Facility-based service. – Any (i) emergency or temporary shelter,
- 2 transitional housing provider, or permanent supportive housing entity
- 3 that receives local, State, or federal funds for the purpose of providing
- 4 shelter to homeless persons or (ii) other entity or facility that receives
- 5 local, State, or federal funds and primarily provides treatment,
- 6 preventive care, or other services to homeless persons.
- 7 c. Operator. – A sole proprietorship, corporation, partnership, joint
- 8 venture, limited partnership, limited liability partnership, limited
- 9 liability company, or any other entity or business association, or
- 10 contractor or subcontractor of the same, that is the recipient of local,
- 11 State, or federal funds to use for the provision of a facility-based
- 12 service.

13 "

14 **SECTION 3.** This act becomes effective December 1, 2025, and applies to offenses
15 committed on or after that date.