Classification of Base Offenses

Offenses committed on or after December 1, 2017

FELONY CLASS	GENERAL STATUTES SECTION	OFFENSE
C	90-95(b)(1a)	Manufacture of methamphetamine.
G	90-95(b)(1)	Sale of Schedule I or II Controlled Substance.
H	90-95(b)(1)	Manufacture, deliver, or possess with intent to manufacture, sell, or deliver a Schedule I or II Controlled Substance.
	90-95(b)(2)	Sale of a Schedule III, IV, V or VI Controlled Substance.
I	90-95(b)(2)	Manufacture, deliver, or possess with intent to manufacture, sell or deliver, a Schedule III, IV, V, or VI Controlled Substance.
	90-95(c)	Create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance.
	90-95(d)(1)	Possession of a Schedule I Controlled Substance.
	90-95(d)(2)	Possession of more than four dosage units of Hydromorphone.
	90-95(d)(2)	Possession of more than 100 dosage units of a Schedule II, III, or IV Controlled Substance.
	90-95(d)(2)	Possession of any amount of Methamphetamine, Amphetamine, Cocaine or Phencyclidine or derivative thereof.
	90-95(d)(4)	Possession of more than 1.5 ounces of Marijuana or .15 ounces of Hashish.
	90-95(d)(4)	Possession of more than 21 grams of synthetic cannabinoid.

MISD. CLASS	GENERAL STATUTES SECTION	OFFENSE
1	90-95(a)(3) and (d)(2)	Possession of a controlled substance classified in Schedule II, III, or IV not listed as felony possession.
	90-95(a)(3) and (d)(4)	Possession of (1) greater than ½ ounce of marijuana or (2) 1/20 ounce of hashish.
	90-95(a)(3) and (d)(4)	Possession in excess of 7 grams of synthetic cannabinoid.
	90-95(d)(1)	Possession of 1 gram or less of MDPV.
2	90-95(a)(3) and (d)(3)	Possession of a controlled substance classified in Schedule V.
3	90-95(a)(3) and (d)(4)	Possession of a controlled substance classified in Schedule VI.

Classification of Related Offenses

Offenses committed on or after December 1, 2017

FELONY CLASS	GENERAL STATUTES SECTION	OFFENSE
C	90-95(e)(5)	Selling or delivering a controlled substance by a person 18 or over to a person under 13.
	90-95.1	Continuing criminal enterprise.
D	90-95(e)(5)	Selling or delivering a controlled substance by a person 18 or over to a person under 16 but more than 13 or a pregnant female.
	90-95.6	Promoting drug sales by a minor.
E	90-95(e)(8)	Manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver a controlled substance within 1,000 feet of a child care center, elementary or secondary school.
	90-95(e)(10)	Manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver a controlled substance within 1,000 feet of a playground in a public park.
F	90-95(d1)(2)a	Possess an immediate precursor chemical with intent to manufacture methamphetamine.
	90-95(d1)(2)b	Possess or distribute an immediate precursor chemical knowing it will be used to manufacture methamphetamine.
G	90-95.7	Participating in a drug violation by a minor.
	90-108(b)(2)	Employee embezzlement of controlled substance.
H	90-95(d1)(1)a	Possess an immediate precursor chemical with intent to manufacture a controlled substance.
	90-95(d1)(1)b	Possess or distribute an immediate precursor chemical knowing it will be used to manufacture a controlled substance.
	90-95(d1)(1)c	Possess a pseudoephedrine product with a prior conviction for certain methamphetamine offenses.
	90-95(e)(9)	Possession of a controlled substance on the premises of a penal institution or local confinement facility.
I	90-95(e)(3)	Drug offense punishable by not more than two years and offender has been previously convicted of a drug offense.
	90-108(a)(1)	Obtain controlled substance by impersonating a practitioner.
	90-108(a)(5)	Refuse to make, keep, or furnish any record, etc. required.
	90-108(a)(7)	Maintain a fortified vehicle/structure for using controlled substances.
	90-108(a)(10)	Obtain controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge.
	90-108(a)(13)	Obtain controlled substance by legal prescription by willfully misrepresenting or withholding information from one or more practitioners.

One class higher than the violation	90-95.4(a)(1)	Employing or intentionally using minor to commit a drug law violation (Offender was 18 to 21, minor was more than 13).
Two classes higher than the violation	90-95.4(a)(2)	Employing or intentionally using minor to commit a drug law violation (Offender was 18 to 21, minor was 13 or younger).
Three classes higher than the violation	90-95.4(b)(1)	Employing or intentionally using minor to commit a drug law violation (Offender was 21 or older, minor was more than 13).
Four classes higher than the violation	90-95.4(b)(2)	Employing or intentionally using minor to commit a drug law violation (Offender was 21 or older, minor was 13 or younger).

MISD. CLASS	GENERAL STATUTES SECTION	OFFENSE
1	90-95(e)(4)	Violation of a Class 2 misdemeanor with a previous conviction under Article 5. North Carolina Controlled Substances Act.
	90-108	Various controlled substance offenses (not committed intentionally).
2	90-95(e)(7)	Violation of an offense under this Article which requires a suspended sentence with a previous conviction under this Article.

Offenses Committed on or after October 1, 2013

Felony Minimum Sentences (in Months) and Dispositions

Offense Class	Prior Record Level					
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts
A	Death or Life Without Parole Defendant Under 18 at Time of Offense: Life With or Without Parole					
B1	A 240 - 300 **192 - 240** 144 - 192	A 276 - 345 **221 - 276** 166 - 221	A 317 -397 **254 - 317** 190 - 254	A 365 - 456 **292 - 365** 219 - 292	A Life Without Parole **336 - 420** 252 - 336	A Life Without Parole **386 - 483** 290 - 386
B2	A 157 - 196 **125 - 157** 94 - 125	A 180 - 225 **144 - 180** 108 - 144	A 207 - 258 **165 - 207** 124 - 165	A 238 - 297 **190 - 238** 143 - 190	A 273 - 342 **219 - 273** 164 - 219	A 314 - 393 **251 - 314** 189 - 251
C	A 73 – 92 **58 - 73** 44 - 58	A 83 - 104 **67 - 83** 50 - 67	A 96 - 120 **77 - 96** 58 - 77	A 110 - 138 **88 - 110** 66 - 88	A 127 - 159 **101 - 127** 76 - 101	A 146 - 182 **117 - 146** 87 - 117
D	A 64 - 80 **51 - 64** 38 - 51	A 73 - 92 **59 - 73** 44 - 59	A 84 - 105 **67 - 84** 51 - 67	A 97 - 121 **78 - 97** 58 - 78	A 111 - 139 **89 - 111** 67 - 89	A 128 - 160 **103 - 128** 77 - 103
E	I/A 25 - 31 **20 - 25** 15 - 20	I/A 29 - 36 **23 - 29** 17 - 23	A 33 - 41 **26 - 33** 20 - 26	A 38 - 48 **30 - 38** 23 - 30	A 44 - 55 **35 - 44** 26 - 35	A 50 - 63 **40 - 50** 30 - 40
F	I/A 16 - 20 **13 - 16** 10 - 13	I/A 19 - 23 **15 - 19** 11 - 15	I/A 21 - 27 **17 - 21** 13 - 17	A 25 - 31 **20 - 25** 15 - 20	A 28 - 36 **23 - 28** 17 - 23	A 33 - 41 **26 - 33** 20 - 26
G	I/A 13 - 16 **10 - 13** 8 - 10	I/A 14 - 18 **12 - 14** 9 - 12	I/A 17 - 21 **13 - 17** 10 - 13	I/A 19 - 24 **15 - 19** 11 - 15	A 22 - 27 **17 - 22** 13 - 17	A 25 - 31 **20 - 25** 15 - 20
H	C/I/A 6 - 8 **5 - 6** 4 - 5	I/A 8 - 10 **6 - 8** 4 - 6	I/A 10 - 12 **8 - 10** 6 - 8	I/A 11 - 14 **9 - 11** 7 - 9	I/A 15 - 19 **12 - 15** 9 - 12	A 20 - 25 **16 - 20** 12 - 16
I	C 6 - 8 **4 - 6** 3 - 4	C/I 6 - 8 **4 - 6** 3 - 4	I 6 - 8 **5 - 6** 4 - 5	I/A 8 - 10 **6 - 8** 4 - 6	I/A 9 - 11 **7 - 9** 5 - 7	I/A 10 - 12 **8 - 10** 6 - 8

RANGE
Aggravated
PRESUMPTIVE
Mitigated

DISPOSITION
C – Community
I – Intermediate
A – Active

Offenses Committed on or after October 1, 2013

MINIMUM AND MAXIMUM SENTENCES

The corresponding maximum sentence for each minimum sentence is shown in the tables below. In each column, the number to the left of the dash represents the minimum sentence (in months) and the number to the right of the dash represents the corresponding maximum sentence (in months).

FOR OFFENSE CLASSES B1 THROUGH E

15-30	52-75	89-119	126-164	163-208	200-252	237-297	274-341	311-386
16-32	53-76	90-120	127-165	164-209	201-254	238-298	275-342	312-387
17-33	54-77	91-122	128-166	165-210	202-255	239-299	276-344	313-388
18-34	55-78	92-123	129-167	166-212	203-256	240-300	277-345	314-389
19-35	56-80	93-124	130-168	167-213	204-257	241-302	278-346	315-390
20-36	57-81	94-125	131-170	168-214	205-258	242-303	279-347	316-392
21-38	58-82	95-126	132-171	169-215	206-260	243-304	280-348	317-393
22-39	59-83	96-128	133-172	170-216	207-261	244-305	281-350	318-394
23-40	60-84	97-129	134-173	171-218	208-262	245-306	282-351	319-395
24-41	61-86	98-130	135-174	172-219	209-263	246-308	283-352	320-396
25-42	62-87	99-131	136-176	173-220	210-264	247-309	284-353	321-398
26-44	63-88	100-132	137-177	174-221	211-266	248-310	285-354	322-399
27-45	64-89	101-134	138-178	175-222	212-267	249-311	286-356	323-400
28-46	65-90	102-135	139-179	176-224	213-268	250-312	287-357	324-401
29-47	66-92	103-136	140-180	177-225	214-269	251-314	288-358	325-402
30-48	67-93	104-137	141-182	178-226	215-270	252-315	289-359	326-404
31-50	68-94	105-138	142-183	179-227	216-272	253-316	290-360	327-405
32-51	69-95	106-140	143-184	180-228	217-273	254-317	291-362	328-406
33-52	70-96	107-141	144-185	181-230	218-274	255-318	292-363	329-407
34-53	71-98	108-142	145-186	182-231	219-275	256-320	293-364	330-408
35-54	72-99	109-143	146-188	183-232	220-276	257-321	294-365	331-410
36-56	73-100	110-144	147-189	184-233	221-278	258-322	295-366	332-411
37-57	74-101	111-146	148-190	185-234	222-279	259-323	296-368	333-412
38-58	75-102	112-147	149-191	186-236	223-280	260-324	297-369	334-413
39-59	76-104	113-148	150-192	187-237	224-281	261-326	298-370	335-414
40-60	77-105	114-149	151-194	188-238	225-282	262-327	299-371	336-416
41-62	78-106	115-150	152-195	189-239	226-284	263-328	300-372	337-417
42-63	79-107	116-152	153-196	190-240	227-285	264-329	301-374	338-418
43-64	80-108	117-153	154-197	191-242	228-286	265-330	302-375	339-419
44-65	81-110	118-154	155-198	192-243	229-287	266-332	303-376	
45-66	82-111	119-155	156-200	193-244	230-288	267-333	304-377	
46-68	83-112	120-156	157-201	194-245	231-290	268-334	305-378	
47-69	84-113	121-158	158-202	195-246	232-291	269-335	306-380	
48-70	85-114	122-159	159-203	196-248	233-292	270-336	307-381	
49-71	86-116	123-160	160-204	197-249	234-293	271-338	308-382	
50-72	87-117	124-161	161-206	198-250	235-294	272-339	309-383	
51-74	88-118	125-162	162-207	199-251	236-296	273-340	310-384	

To calculate a maximum sentence when the minimum sentence is 340 months or more, multiply the minimum sentence by 1.20 (rounding to the next highest month) and add 12. *See* G.S. 15A-1340.17(e1).

***Sex Offenses*:** To calculate a maximum sentence for a Class B1 through E felony that is subject to the registration requirements of G.S. Chapter 14, Article 27A, multiply the minimum sentence by 1.20 (rounding to the next highest month) and add 60. *See* G.S. 15A-1340.17(f).

FOR OFFENSE CLASSES F THROUGH I

3-13	8-19	13-25	18-31	23-37	28-43	33-49	38-55
4-14	9-20	14-26	19-32	24-38	29-44	34-50	39-56
5-15	10-21	15-27	20-33	25-39	30-45	35-51	40-57
6-17	11-23	16-29	21-35	26-41	31-47	36-53	41-59
7-18	12-24	17-30	22-36	27-42	32-48	37-54	

Offenses Committed on or after December 1, 2013

Misdemeanor Sentences and Dispositions

<table>
<tr><th rowspan="2">Offense Class</th><th colspan="4">Prior Conviction Level</th></tr>
<tr><th>I
No Prior Convictions</th><th colspan="2">II
One to Four Prior Convictions</th><th>III
Five or More Prior Convictions</th></tr>
<tr><td>A1</td><td>C/I/A
1 - 60 days</td><td colspan="2">C/I/A
1 - 75 days</td><td>C/I/A
1 - 150 days</td></tr>
<tr><td>1</td><td>C
1 - 45 days</td><td colspan="2">C/I/A
1 - 45 days</td><td>C/I/A
1 - 120 days</td></tr>
<tr><td>2</td><td>C
1 - 30 days</td><td colspan="2">C/I
1 - 45 days</td><td>C/I/A
1 - 60 days</td></tr>
<tr><td rowspan="2">3</td><td rowspan="2">C
Fine Only*
1 - 10 days</td><td>One to Three Prior Convictions</td><td>Four Prior Convictions</td><td rowspan="2">C/I/A
1 - 20 days</td></tr>
<tr><td>C
Fine Only*
1-15 days</td><td>C/I
1 - 15 days</td></tr>
</table>

DISPOSITION
C – Community
I – Intermediate
A – Active

***Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.**