

## Offense

Any person who sells, manufactures, delivers, transports, or possesses a specified amount of a specified controlled substance.

## Classification

Offenses committed on or after December 1, 2017

FELONY CLASS	OFFENSE	AMOUNT
<b>C</b>	Trafficking in methamphetamine. (90-95(h)(3b)c)	400 grams or more
	Trafficking in MDPV. (90-95(h)(3d)c)	400 grams or more
	Trafficking in mephedrone. (90-95(h)(3e)c)	400 grams or more
	<b>Trafficking in opium or heroin. (90-95(h)(4)c)</b>	<b>28 grams or more</b>
<b>D</b>	Trafficking in marijuana. (90-95(h)(1)d)	10,000 pounds or more
	Trafficking in synthetic cannabinoid. (90-95(h)(1a)d)	3750 dosage units or more
	Trafficking in methaqualone. (90-95(h)(2)c)	10,000 or more dosage units
	Trafficking in cocaine. (90-95(h)(3)c)	400 grams or more
	Trafficking in Lysergic Acid Diethylamide. (90-95(h)(4a)c)	1,000 or more dosage units
	Trafficking in MDA/MDMA. (90-95(h)(4b)c)	1000 or more dosage units/400 grams or more
<b>E</b>	Trafficking in methamphetamine. (90-95(h)(3b)b)	200 grams or more, less than 400 grams
	Trafficking in amphetamine. (90-95(h)(3c)c)	400 grams or more
	Trafficking in MDPV. (90-95(h)(3d)b)	200 grams or more, less than 400 grams
	Trafficking in mephedrone. (90-95(h)(3e)b)	200 grams or more, less than 400 grams
	<b>Trafficking in opium or heroin. (90-95(h)(4)b)</b>	<b>14 grams or more, less than 28 grams</b>
<b>F</b>	Trafficking in marijuana. (90-95(h)(1)c)	2,000 pounds or more, less than 10,000 pounds
	Trafficking in synthetic cannabinoid. (90-95(h)(1a)c)	1250 or more dosage units, less than 3750
	Trafficking in methaqualone. (90-95(h)(2)b)	5,000 or more dosage units, less than 10,000
	Trafficking in cocaine. (90-95(h)(3)b)	200 grams or more, less than 400 grams
	Trafficking in methamphetamine. (90-95(h)(3b)a)	28 grams or more, less than 200 grams
	Trafficking in MDPV. (90-95(h)(3d)a)	28 grams or more, less than 200 grams
	Trafficking in mephedrone. (90-95(h)(3e)a)	38 grams or more, less than 200 grams
	<b>Trafficking in opium or heroin. (90-95(h)(4)a)</b>	<b>4 grams or more, less than 14 grams</b>
	Trafficking in Lysergic Acid Diethylamide. (90-95(h)(4a)b)	500 or more dosage units, less than 1,000 dosage units

	Trafficking in MDA/MDMA. (90-95(h)(4b)b)	500 or more dosage units, but less than 1000 dosage units/200 grams or more, less than 400 grams
<b>G</b>	Trafficking in marijuana. (90-95(h)(1)b)	50 pounds or more, less than 2,000 pounds
	Trafficking in synthetic cannabinoid. (90-95(h)(1a)b)	250 dosage units or more, less than 1250 dosage units
	Trafficking in methaqualone. (90-95(h)(2)a)	1,000 or more dosage units, less than 5,000
	Trafficking in cocaine. (90-95(h)(3)a)	28 grams or more, less than 200 grams
	Trafficking in amphetamine. (90-95(h)(3c)b)	200 grams or more, less than 400 grams
	Trafficking in Lysergic Acid Diethylamide. (90-95(h)(4a)a)	100 or more dosage units, less than 500 dosage units
	Trafficking in MDA/MDMA. (90-95(h)(4b)a)	100 or more dosage units, but less than 500 dosage units/28 grams or more, less than 200 grams
<b>H</b>	Trafficking in marijuana. (90-95(h)(1)a)	More than 10 pounds, less than 50 pounds
	Trafficking in synthetic cannabinoids. (90-95(h)(1a)a)	More than 50 dosage units, less than 250 dosage units
	Trafficking in amphetamine. (90-95(h)(3c)a)	28 grams or more, less than 200 grams

## Sentencing

### Minimum and Maximum Sentences for Drug Trafficking *G.S. 90-95(h)*

Unless the court finds that the offender provided substantial assistance (*see below*), the offender convicted for drug trafficking must receive the following minimum and maximum sentence regardless of the prior record level.

Class C Drug Trafficking: Minimum 225 months; maximum 282 months.  
Class D Drug Trafficking: Minimum 175 months; maximum 222 months.  
Class E Drug Trafficking: Minimum 90 months; maximum 120 months.  
Class F Drug Trafficking: Minimum 70 months; maximum 93 months.  
Class G Drug Trafficking: Minimum 35 months; maximum 51 months.  
Class H Drug Trafficking: Minimum 25 months; maximum 39 months.

If the court finds “substantial assistance,” the court may impose any lesser minimum and corresponding maximum sentence, or suspend the sentence and enter any sentence within the court’s discretion.

### Exception for Drug Trafficking Convictions *G.S. 90-95(h)*

An offender convicted of a drug trafficking offense must receive an active punishment, unless the court finds that the offender provided substantial assistance in the identification, arrest, or conviction of any accomplices, accessories, co-conspirators or principals. If the court finds “substantial assistance,” the sentencing judge may impose a prison term less than the applicable minimum prison term provided for drug trafficking offenses, or suspend the prison term and impose an intermediate punishment or a community punishment. The trial court’s discretion in departing from minimum sentencing pursuant to the drug trafficking statute is not limited by minimum sentencing requirements under structured sentencing.