

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 710

Short Title: Employ Minor to Violate Drug Law.

(Public)

Sponsors: Senators Daniel, Basnight, Rauch, Barker, Kaplan, Plyler, Conder, Soles, Winner, Goldston, Taft, Staton, Murphy, Marvin, Block, Guy, Harris, Speed, Royall, Sherron, Parnell, Ward, Martin of Guilford, Walker, and Martin of Pitt; Ezzell, Hunt of Durham, Hunt of Moore, Johnson of Wake, Raynor, Richardson, and Sands.

Referred to: Judiciary I.

March 30, 1989

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT AN ADULT WHO USES, SOLICITS, OR HIRES A
2 MINOR TO COMMIT A DRUG VIOLATION IS GUILTY OF A CLASS E
3 FELONY AND IS INELIGIBLE FOR PAROLE, GOOD TIME, OR GAIN TIME.

4 The General Assembly of North Carolina enacts:

5 Section 1. Article 5 of Chapter 90 of the General Statutes is amended by
6 adding a new section to read:

7 **"§ 90-95.4. Employing minor to commit a drug law violation.**

8 (a) A person 18 years of age or over who uses, solicits, directs, hires, or employs
9 a person under 18 years of age to commit a violation of G.S. 90-95 shall be punished as
10 a Class E felon. A person being sentenced under this subsection may not receive a
11 suspended sentence or be placed on probation, and notwithstanding any other provision
12 of law, shall serve the term of imprisonment without benefit of parole or good time,
13 gain time, or any other form of credits toward or deductions from the term of
14 imprisonment.

15 (b) Mistake of Age. Mistake of age is not a defense to a prosecution under this
16 section."

17 Sec. 2. This act shall become effective October 1, 1989, and shall apply to
18 offenses occurring on or after that date.
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