

§ 105-113.106. Definitions.

The following definitions apply in this Article:

- (1) Controlled Substance. – Defined in G.S. 90-87.
- (2) Repealed by Session Laws 1995, c. 340, s. 1.
- (3) Dealer. – Any of the following:
 - a. A person who actually or constructively possesses more than 42.5 grams of marijuana, seven or more grams of any other controlled substance that is sold by weight, or 10 or more dosage units of any other controlled substance that is not sold by weight.
 - b. A person who in violation of Chapter 18B of the General Statutes possesses illicit spirituous liquor for sale.
 - c. A person who in violation of Chapter 18B of the General Statutes possesses mash.
 - d. A person who in violation of Chapter 18B of the General Statutes possesses an illicit mixed beverage for sale.
- (4) Repealed by Session Laws 1995, c. 340, s. 1.
- (4a) Illicit mixed beverage. – A mixed beverage, as defined in G.S. 18B-101, composed in whole or in part from spirituous liquor on which the charge imposed by G.S. 18B-804(b)(8) has not been paid, but not including a premixed cocktail served from a closed package containing only one serving.
- (4b) Illicit spirituous liquor. – Spirituous liquor, as defined in G.S. 105-113.68, not authorized by the North Carolina Alcoholic Beverage Control Commission. Some examples of illicit spirituous liquor are the products known as "bootleg liquor", "moonshine", "non-tax-paid liquor", and "white liquor".
- (4c) Local law enforcement agency. – A municipal police department, a county police department, or a sheriff's office.
- (4d) Low-street-value drug. – Any of the following controlled substances:
 - a. An anabolic steroid as defined in G.S. 90-91(k).
 - b. A depressant described in G.S. 90-89(4), 90-90(4), 90-91(b), or 90-92(a).
 - c. A hallucinogenic substance described in G.S. 90-89(3) or G.S. 90-90(5).
 - d. A stimulant described in G.S. 90-89(5), 90-90(3), 90-91(j), 90-92(a)(3), or 90-93(a)(3).
 - e. A controlled substance described in G.S. 90-91(c), (d), or (e), 90-92(a)(3), or (a)(5), or 90-93(a)1.
- (5) Repealed by Session Laws 1995, c. 340, s. 1.
- (6) Marijuana. – All parts of the plant of the genus Cannabis, whether growing or not; the seeds of this plant; the resin extracted from any part of this plant; and every compound, salt, derivative, mixture, or preparation of this plant, its seeds, or its resin.
- (6a) Mash. – The fermentable starchy mixture from which spirituous liquor can be distilled.
- (7) Person. – Defined in G.S. 105-228.90.
- (8) Secretary. – Defined in G.S. 105-228.90.
- (8a) State law enforcement agency. – Any State agency, force, department, or unit responsible for enforcing criminal laws.

- (9) Unauthorized substance. – A controlled substance, an illicit mixed beverage, illicit spirituous liquor, or mash. (1989, c. 772, s. 1; 1993, c. 354, s. 10; 1995, c. 340, s. 1; 1997-292, s. 1; 1999-337, s. 19; 2000-119, ss. 3, 4.)