

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 508
Second Edition Engrossed 5/16/91

Short Title: Felony to Fortify Drug House.

(Public)

Sponsors: Representatives Huffman; Bowman, Ligon, and Wilson.

Referred to: Judiciary III.

April 1, 1991

A BILL TO BE ENTITLED

1 AN ACT TO CREATE THE FELONY OFFENSE OF FORTIFYING A STRUCTURE
2 USED FOR THE ILLEGAL SALE, DELIVERY, MANUFACTURE, OR
3 POSSESSION OF A CONTROLLED SUBSTANCE FOR THE PURPOSE OF
4 SUPPRESSING OR IMPEDING LAW ENFORCEMENT ENTRY.
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6 The General Assembly of North Carolina enacts:

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

9 **"§ 90-97.1. Fortification of structure used to illegally manufacture, sell, deliver, or**
10 **possess a controlled substance.**

11 (a) It is unlawful for any person to fortify a structure in which a controlled
12 substance is, or is intended to be manufactured, sold, delivered, or possessed by that
13 person in violation of this Article with the intent to suppress or impede law enforcement
14 entry. A violation of this subsection shall be a Class I felony.

15 (b) As used in this section:

16 (1) 'Booby trap' means any concealed or camouflaged device designed to
17 cause bodily injury when triggered by any action of any person making
18 contact with the device or a tripping mechanism;

19 (2) 'Fortify' includes but is not limited to, installing booby traps, alarm or
20 surveillance systems, high-security fencing, barricading window or
21 doors, maintenance attack dogs, or similar measures to impede entry
22 into a structure;

1 (3) 'Structure' means any building, shed, or outbuilding, or part hereof,
2 whether abandoned or occupied, whether complete or under
3 construction, and whether used or intended for use for residential,
4 commercial, office, storage, or public purposes."

5 Sec. 2. This act becomes effective October 1, 1991, and applies to offenses
6 occurring on or after that date.