

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH50150-LK-95 (3/4)

Short Title: Mandatory Jail for B.A.C. Over 0.20.

(Public)

Sponsors: Representative Capps.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE MANDATORY JAIL TIME, IN ADDITION TO ANY
OTHER PUNISHMENT, FOR ANY PERSON CONVICTED OF DRIVING
WHILE IMPAIRED WITH A BLOOD ALCOHOL LEVEL OF 0.20 OR MORE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-179 is amended by adding a new subsection to read:

"(u) A person convicted of driving while impaired where the aggravating factor listed in subdivision (d)(1) of this section is found with an alcohol concentration of 0.20 or more within a relevant time after driving in addition to and after any other punishment imposed:

(1) Shall serve a minimum mandatory 24-hour active sentence where punishment is imposed pursuant to subsections (g) through (k) of this section.

(2) Shall serve a minimum mandatory six-month active sentence where punishment is imposed pursuant to subsection (g) or (h) of this section."

SECTION 2. This act becomes effective December 1, 2005, and applies to offenses committed on or after that date.