

## North Carolina Drug Laws and Penalties

Each illegal drug in the State of North Carolina is characterized in the chart below to make you aware of the potential penalty for possession or trafficking illegal drugs.

| TYPES OF DRUGS<br>UNLAWFUL POSSESSION  | POSSESSION  | TRAFFICKING  | STATUTE                   |
|--|---|--|---------------------------|
| <b>Schedule I:</b> Heroin, LSD, Peyote, Mescaline, Psilocybin (Shrooms), other Hallucinogens, Methaqualone (Quaaludes), Phencyclidine (PCP), and MDA   | <b>Maximum Penalty:</b> Five (5) years in prison and/or fine (felony)   | <b>Maximum Penalty:</b> Ten (10) years in prison and/or fine (felony)  | §90-89                    |
| <b>Schedule II:</b> Morphine, Demerol, Codeine, Percodan, Percocet, Fentanyl, Dilaudid, Secondal, Nembutal, Cocaine, Amphetamines and other opium and opium extracts and narcotics   | <b>Maximum Penalty:</b> Two (2) years in prison and/or \$2,000 fine (misdemeanor) –UNLESS–<br>1. Exceeds 4 tablets, capsules, other dosage units or equivalent quantity of Hydromorphone.<br>2. Exceeds 100 tablets, capsules, other dosage units or equivalent quantity.<br>3. One gram or more of Cocaine<br><b>Maximum Penalty:</b> Five (5) years in prison and/or fine (felony)  | <b>Maximum Penalty:</b> Ten (10) years in prison and/or fine (felony)  | §90-90                    |
| <b>Schedule III:</b> Certain barbiturates such as amobarbitol and codeine containing medicine such as Fiorinal#3, Doriden, Tylenol #3, Empirin#3, and codeine-based cough suppressants such as Tussionex and Hycomine, and all anabolic steroids | <b>Maximum Penalty:</b> Possession of less than 100 tablets, capsules, other dosage units or equivalent quantity: Two (2) years in prison and/or fine (misdemeanor) To possess more than 100 tablets, capsules, other dosage units or equivalent quantity: Five (5) years in prison and/or fine (felony)  | <b>Maximum Penalty:</b> Five (5) years in prison and/or fine (felony)  | §90-91                    |
| <b>Schedule IV:</b> Barbiturates, narcotics, and stimulants including Valium, Talwin, Librium, Equanil, Darvon, Darvocet, Placidyl, Tranzene, Serax, Ionamin (yellow jackets)  | <b>Maximum Penalty:</b> Same as Schedule III  | <b>Maximum Penalty:</b> Five (5) years in prison and/or fine (felony)  | §90-92                    |
| <b>Schedule V:</b> Compounds that contain very limited amounts of codeine, dihydrocodeine, ethylmorphine, opium, and atropine, such as Terpene Hydrate with codeine, Robitussin AC   | <b>Maximum Penalty:</b> Six (6) months in prison and/or fine (misdemeanor)  | <b>Maximum Penalty:</b> Five (5) years in prison and/or fine (felony)  | §90-93                    |
| <b>Schedule VI:</b> Marijuana, THC, Hashish, Has Oil, Tetrahydrocannabinol   | <b>Maximum Penalty:</b> Possession of less than ½ ounce of Marijuana or 1/20 ounce Hashish: Thirty (30) days in prison and/or \$100 fine (misdemeanor) Possession of more than ½ ounce of Marijuana or 1/20 ounce Hashish: Two (2) years in prison and/or fine (misdemeanor) Possession of more than 1½ ounce of Marijuana or 3/20 ounce of Hashish or consists of any quantity of synthetic Tetrahydrocannabinols or Tetrahydrocannabinols isolated from the resin of marijuana: Five (5) years in prison and/or fine (felony) | <b>Maximum Penalty:</b> Five (5) years in prison and/or fine (felony)  | §90-94                    |
| <b>Drug Paraphernalia</b><br>(§90-113.22- §90-113.24)  | <b>Maximum Penalty:</b> One hundred twenty (120) days in prison and/or fine. (misdemeanor)  | <b>Maximum Penalty:</b> One hundred twenty (120) days in prison and/or fine. (misdemeanor)<br>However, delivery of drug paraphernalia by a person over 18 years of age to someone under 18 years of age who is at least three years younger: | §90-113.22-<br>§90-113.24 |