



CHAPTER 90
ARTICLE 5 - NORTH CAROLINA CONTROLLED SUBSTANCES ACT

N.C.G.S. § 90-113.1.

Burden of proof; liabilities.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 919, s. 1 — first act in the lineage	RETRIEVED 21 September 2026, 04:22 UTC	SOURCE FINGERPRINT 2af4e50d9f0fd3d21e2b4ce8 - b68e08c0fa761f0aa7ba2ca0 - ff67c576bdff5147a
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§ 90-113.1(a)
BURDEN OF PROOF

It shall not be necessary for the State to negate any exemption or exception set forth in this Article in any complaint, information, indictment, or other pleading or in any trial, hearing, or other proceeding under this Article, and the burden of proof of any such exemption or exception shall be upon the person claiming its benefit.

§ 90-113.1(b)
BURDEN OF PROOF

In the absence of proof that a person is the duly authorized holder of an appropriate registration or order form issued under this Article, he shall be presumed not to be the holder of such registration or form, and the burden of proof shall be upon him to rebut such presumption.

§ 90-113.1(c)

No liability shall be imposed by virtue of this Article upon any duly authorized officer, engaged in the lawful enforcement of this Article.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
1 ACT

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1971			1972
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 90-113.1 (1971).

PINPOINT

N.C. Gen. Stat. § 90-113.1(a) (1971).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1971, c. 919, s. 1.)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

