

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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SENATE BILL 4\*

Select Committee on Corrections/Punishment Committee Substitute Adopted 2/24/94  
Third Edition Engrossed 3/9/94

Short Title: Violent Felonies/Effective Date.

(Public)

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Sponsors:

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Referred to: Appropriations.

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February 9, 1994

A BILL TO BE ENTITLED

AN ACT TO REVISE THE EFFECTIVE DATE OF STRUCTURED SENTENCING  
FOR CERTAIN VIOLENT OFFENSES.

The General Assembly of North Carolina enacts:

Section 1. Section 56 of Chapter 538 of the 1993 Session Laws reads as  
rewritten:

"Sec. 56. This act becomes effective October 1, 1994, for felony Classes A through E as classified in this act and as classified in Chapter 539 of the 1993 Session Laws and applies to offenses occurring on or after that date. Prosecutions for, or sentences based on, offenses occurring before the effective date of this act are not abated or affected by the repeal or amendment in this act of any statute, and the statutes that would be applicable to those prosecutions or sentences but for the provisions of this act remain applicable to those prosecutions or sentences. This act becomes effective January 1, 1995, for all remaining felony classes and misdemeanor offenses and applies only to offenses occurring on or after that date. Prosecutions for, or sentences based on, offenses occurring before the effective date of this act are not abated or affected by the repeal or amendment in this act of any statute, and the statutes that would be applicable to those prosecutions or sentences but for the provisions of this act remain applicable to those prosecutions or sentences."

Sec. 2. Section 1359 of Chapter 539 of the 1993 Session Laws reads as  
rewritten:

1       "Sec. 1359. Sections 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136,  
2 1137, 1138, 1139(a)-(d), 1140(b)(1) and (2), 1141, 1143, 1149(a), 1150, 1151, 1155,  
3 1156, 1157, 1158, 1159, 1160, 1161, 1175, 1189, 1196, 1233, 1242(b)(3), 1266, 1305,  
4 1314, 1317, and 1319 of this act become effective October 1, 1994, and apply to  
5 offenses occurring on or after that date. Prosecutions for offenses committed before the  
6 effective date of this act are not abated or affected by this act, and the statutes that  
7 would be applicable but for this act remain applicable to those prosecutions. The  
8 remainder of this ~~This~~ act becomes effective January 1, 1995, and applies to offenses  
9 occurring on or after that date. Prosecutions for offenses committed before the effective  
10 date of this act are not abated or affected by this act, and the statutes that would be  
11 applicable but for this act remain applicable to those prosecutions."

12               Sec. 3. G.S. 15A-1340.10, as enacted by Section 1 of Chapter 538 of the  
13 1993 Session Laws, reads as rewritten:

14 **"§ 15A-1340.10. Applicability of structured sentencing.**

15       This Article applies to ~~eriminal offenses in North Carolina, other than impaired driving~~  
16 ~~under G.S. 20-138.1, that occur on or after January 1, 1995. Class A, B, C, D, and E felonies~~  
17 that occur on or after October 1, 1994, and to other criminal offenses, other than  
18 impaired driving offenses under G.S. 20-138.1, that occur on or after January 1, 1995."

19               Sec. 4. G.S. 15A-1371(a1), as enacted by Section 22 of Chapter 538 of the  
20 1993 Session Laws, reads as rewritten:

21       "(a1) A prisoner serving a term of life imprisonment is eligible for parole after  
22 serving 25 years. This subsection applies to offenses committed on ~~and or~~ after ~~January~~  
23 ~~1, 1995.~~ October 1, 1994."

24               Sec. 5. This act is effective upon ratification.