

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE BILL 564

Short Title: Drug Treatment Ct/DART Referral.

(Public)

Sponsors: Senator Boseman.

Referred to: Judiciary I.

March 16, 2005

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT DEFENDANTS ENROLLED IN A DRUG
2 TREATMENT COURT PROGRAM SHALL BE REFERRED TO RESIDENTIAL
3 TREATMENT IN THE DART PROGRAM WITHOUT UNDERGOING A
4 SECOND ASSESSMENT.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 15A-1343(b3) reads as rewritten:

8 "(b3) Screening and Assessing for Chemical Dependency. ~~A~~Except as otherwise
9 provided in this subsection, a defendant ordered to submit to a period of residential
10 treatment in the Drug Alcohol Recovery Treatment program (DART) operated by the
11 Department of Correction must undergo a screening to determine chemical dependency.
12 If the screening indicates the defendant is chemically dependent, the court shall order an
13 assessment to determine the appropriate level of treatment. The assessment may be
14 conducted either before or after the court imposes the condition, but participation in the
15 program shall be based on the results of the assessment. A defendant enrolled in a drug
16 treatment court program who receives an assessment through that program is exempt
17 from the provisions of this subsection, and if referred to residential treatment in the
18 DART program, shall not undergo the additional screening and assessment required by
19 this subsection."

20 **SECTION 2.** This act is effective when it becomes law.