

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 494
Rules and Operations of the Senate Committee Substitute Adopted 5/14/13

Short Title: Community Service/Post-Release Supervision.

(Public)

Sponsors:

Referred to:

March 28, 2013

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE COMMUNITY SERVICE AS A DISCRETIONARY
CONDITION OF POST-RELEASE SUPERVISION AND TO AMEND THE
REQUIREMENTS FOR VOTING BY THE POST-RELEASE SUPERVISION AND
PAROLE COMMISSION ON MATTERS COMING BEFORE THE COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-1368.4 reads as rewritten:

"§ 15A-1368.4. **Conditions of post-release supervision.**

...

(c) Discretionary Conditions. – The Commission, in consultation with the Section of Community Corrections of the Division of Adult Correction, may impose conditions on a supervisee it believes reasonably necessary to ensure that the supervisee will lead a law-abiding life or to assist the supervisee to do so. The Commission may also impose a condition of community service on a supervisee who was a Class F through I felon and who has failed to fully satisfy any order for restitution, reparation, or costs imposed against the supervisee as part of the supervisee's sentence; however, the Commission shall not impose such a condition of community service if the Commission determines, upon inquiry, that the supervisee has the financial resources to satisfy the order.

...

~~(e1) Prohibited Conditions. — The Commission shall not impose community service as a condition of post-release supervision.~~

...."

SECTION 2. G.S. 143B-721(d) reads as rewritten:

"(d) The granting, denying, revoking, or rescinding of parole, the authorization of work-release privileges to a prisoner, or any other matters of business coming before the Commission for consideration and action shall be decided by majority vote of the full ~~Commission~~. Commission, except that a three-member panel of the members of the Commission appointed by the chair may set the terms and conditions for a post-release supervisee under G.S. 15A-1368.4. In the event of a tie in a vote by the full Commission, the chair shall break the tie with an additional vote."

SECTION 3. Section 2 of this act is effective when it becomes law and applies to actions taken by the Post-Release Supervision and Parole Commission on or after that date. The remainder of this act is effective when it becomes law.

