

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE DRS35046-LH-98 (02/24)

Short Title: Clarify Credit for Time Served.

(Public)

Sponsors: Senators Daniel, McKissick, and Randleman (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY CREDIT FOR TIME SERVED AS RECOMMENDED BY THE
3 NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 15-196.1 reads as rewritten:

6 "§ 15-196.1. Credits allowed.

7 The minimum and maximum term of a sentence shall be credited with and diminished by
8 the total amount of time a defendant has spent, committed to or in confinement in any State or
9 local correctional, mental or other institution as a result of the charge that culminated in the
10 ~~sentence.~~ sentence or the incident from which the charge arose. The credit provided shall be
11 calculated from the date custody under the charge commenced and shall include credit for all
12 time spent in custody pending trial, trial de novo, appeal, retrial, or pending parole, probation,
13 or post-release supervision revocation hearing: Provided, however, the credit available herein
14 shall not include any time that ~~is credited on the term of a previously imposed sentence to~~
15 ~~which a defendant is subject.~~ a defendant has spent in custody as a result of a pending charge
16 while serving a sentence imposed for another offense."

17 SECTION 2. This act becomes effective December 1, 2015.

