

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 266
HOUSE BILL 364

1 AN ACT TO PROVIDE CREDIT TOWARD THE SATISFACTION OF THE SENTENCE
2 WHEN THE DEFENDANT IS UNABLE TO SECURE HIS RELEASE ON BAIL
3 PENDING APPEAL.
4

5 The General Assembly of North Carolina do enact:
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7 **Section 1.** G.S. 15-184 as the same appears in Volume 1-C of the General Statutes
8 is hereby amended by striking all of the language of the last sentence of said paragraph and by
9 substituting in lieu thereof the following:

10 "The sentence shall begin as of the date of the commitment in the event the defendant has
11 been admitted to bail pending the appeal. If the defendant has not been admitted to bail pending
12 the appeal, the defendant shall receive credit towards the satisfaction of the sentence for all the
13 time the defendant has spent in custody pending the appeal, except when the sentence is death
14 or life imprisonment. Provided, however, if the sentence on appeal is a consecutive sentence
15 imposed to begin at the expiration of a sentence or sentences by virtue of which the defendant
16 is in custody, then, in that event, the defendant will not be entitled to receive credit on the
17 sentence on appeal for the time spent in custody by virtue of the pre-existing sentence or
18 sentences. This provision shall apply to all trials commenced after the ratification of this
19 amendment."

20 **Sec. 2.** All laws and clauses of laws in conflict with the provisions of this Article
21 are hereby repealed.

22 **Sec. 3.** This Act shall be in full force and effect from and after its ratification.

23 In the General Assembly read three times and ratified, this the 22nd day of April,
24 1969.