

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 612
HOUSE BILL 785

AN ACT TO PROVIDE FOR DISCRETIONARY PRE-SENTENCE INVESTIGATION OF
FIRST AND SUBSEQUENT CONVICTIONS OF D.U.I.

The General Assembly of North Carolina enacts:

Section 1. Part 12 of Article 3 of Chapter 20 of the General Statutes is hereby amended by adding a new section to be designated "G.S. 20-179.1" and to read as follows:

"§ 20-179.1. Pre-sentence investigation of persons convicted of driving while under the influence of intoxicating liquor. — (a) In the case of a first or subsequent conviction of driving a motor vehicle upon a highway while under the influence of intoxicating liquor, the trial judge may request a pre-sentence investigation to determine whether a person convicted of such offense would benefit from treatment for persons who are habitual users of alcohol. Provided however, if the person convicted objects, the sentence of the court shall be entered.

(b) In any case, the trial court may order suitable treatment for the person, as a condition for suspension of a sentence, in addition to imposing any penalties required by this Article."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 18th day of May, 1973.