

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 662
HOUSE BILL 1032

AN ACT TO CHANGE THE CLASSIFICATION FOR SECOND DEGREE MURDER AND
CHANGE THE MAXIMUM SENTENCE FOR CLASS C FELONIES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 1251 of the 1979 Session Laws, Second Session 1980, is amended by deleting from the last sentence of G.S. 14-17, as that statute appears in Section 2 of Chapter 1251, the phrase "Class D felon" and substituting the phrase "Class C felon".

Sec. 2. Chapter 1316 of the 1979 Session Laws, Second Session 1980, is amended by rewriting G.S. 14-1.1(a)(3), as that statute appears in Section 1 of Chapter 1316, to read:

"(3) A Class C felony shall be punishable by imprisonment up to 50 years, or by life imprisonment, or a fine, or both imprisonment and fine;"

Sec. 3. Chapter 1316 of the 1979 Session Laws, Second Session 1980, is amended by rewriting G.S. 15A-1370.1, as it appears in Section 41 of Chapter 1316, to read: "This Article is applicable to all sentenced prisoners, including Class A and Class B felons, and Class C felons who receive a sentence of life imprisonment, who are not subject to Article 85A of this Chapter."

Sec. 4. G.S. 15A-1380.1 is rewritten to read as follows:

"Parole eligibility for prisoners serving a prison or jail term imposed for a felony that occurred on or after the effective date of this Article shall be determined by the provisions of this Article, except that parole eligibility for Class A and Class B felons, and for Class C felons who receive a sentence of life imprisonment shall be determined as provided in Article 85 of this Chapter, and except that parole eligibility for committed youthful offenders shall be determined by G.S. 148-49.15."

Sec. 5. G.S. 15A-1380.2(a) is amended by deleting the second sentence thereof.

Sec. 6. G.S. 148-49.15(a) is amended by adding the following after the first sentence: "Parole of a committed youthful offender shall be subject to G.S. 15A-1372 through 15A-1376."

Sec. 7. G.S. 15A-1340.7(a) is amended by changing the period at the end of the section to a comma, and adding the following phrase: "except that a life term imposed for a Class C felony shall not be subject to subsection (b) of this section but shall be subject to G.S. 148-13(b) for the purposes of good time and gain time deductions."

Sec. 8. G.S. 148-13(b) is amended by inserting the following language after the phrase "Article 81A of Chapter 15A of the General Statutes,": "and prisoners serving a life term for a Class C felony,"

Sec. 9. G.S. 148-13(c) is amended by revising the last sentence to read as follows: "The provisions of this subsection shall not apply to persons convicted of Class A or Class B felonies or persons sentenced to a life term for a Class C felony."

Sec. 10. This act shall become effective July 1, 1981.

In the General Assembly read three times and ratified, this the 23rd day of June, 1981.