

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 389
HOUSE BILL 236

AN ACT ALLOWING DEFERRAL OF IMPRISONMENT OF PREGNANT DEFENDANTS CONVICTED OF NONVIOLENT CRIMES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1353(a) is amended by adding the following at the end to read:

"If a female defendant is convicted of a nonviolent crime and the court is provided medical evidence from a licensed physician that the defendant is pregnant or the court otherwise determines that the defendant is pregnant, the court may specify in the order that the date of service of the sentence is not to begin until at least six weeks after the birth of the child or other termination of the pregnancy unless the defendant requests to serve her term as the court would otherwise order. The court may impose reasonable conditions upon defendant during such waiting period to insure that defendant will return to begin service of the sentence.

If the court sentences a defendant pursuant to G.S. 15A-1351(a), the period during which that defendant is awaiting imprisonment shall be considered part of the probationary sentence and such defendant shall be subject to all incidents and conditions of probation."

Sec. 2. This act shall become effective October 1, 1983.

In the General Assembly read three times and ratified, this the 26th day of May, 1983.