

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 453
HOUSE BILL 1034

AN ACT TO CLARIFY THE PROCEDURES USED UNDER THE FAIR
SENTENCING ACT WHEN SEVERAL CRIMES ARE CONSOLIDATED FOR
JUDGMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.4(a) is amended by changing the period at the end of the third sentence to a comma and adding the following: "or unless when two or more convictions are consolidated for judgment he imposes a prison term (i) that does not exceed the total of the presumptive terms for each felony so consolidated, (ii) that does not exceed the maximum term for the most serious felony so consolidated, and (iii) that is not shorter than the presumptive term for the most serious felony so consolidated."

Sec. 2. G.S. 15A-1340.4(a) is amended by inserting in the fourth sentence between the word "Chapter" and the comma the following: ", or unless when two or more convictions are consolidated for judgment he imposes a prison term (i) that does not exceed the total of the presumptive terms for each felony so consolidated, (ii) that does not exceed the maximum term for the most serious felony so consolidated, and (iii) that is not shorter than the presumptive term for the most serious felony so consolidated".

Sec. 3. G.S. 15A-1340.4(b) is amended by changing the period at the end of the last sentence to a comma and adding the following: "or if when two or more convictions are consolidated for judgment he imposes a prison term (i) that does not exceed the total of the presumptive terms for each felony so consolidated, (ii) that does not exceed the maximum term for the most serious felony so consolidated, and (iii) that is not shorter than the presumptive term for the most serious felony so consolidated."

Sec. 4. This act shall become effective October 1, 1983.

In the General Assembly read three times and ratified, this the 6th day of June, 1983.