

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1267

Short Title: DWI Inpatient Treatment.

(Public)

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Sponsors: Representative Grady.

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Referred to: Judiciary.

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April 12, 1989

A BILL TO BE ENTITLED

AN ACT TO AMEND THE QUALIFICATIONS OF INPATIENT FACILITIES  
WHERE TERMS CAN BE SERVED BY PERSONS CONVICTED OF DWI BY  
ORDER OF THE SENTENCING COURT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-179(k1) reads as rewritten:

"(k1) Credit for Inpatient Treatment. Pursuant to G.S. 15A-1351(a), the judge may order that a term of imprisonment imposed as a condition of special probation under any level of punishment be served as an inpatient in a facility operated or licensed by the State or a member of the Joint Commission of the Accreditation of Health Care Organizations (JCAH) for the treatment of alcoholism or substance abuse where the defendant has been accepted for admission or commitment as an inpatient. The defendant shall bear the expense of any treatment. The judge may impose restrictions on the defendant's ability to leave the premises of the treatment facility and require that the defendant follow the rules of the treatment facility. The judge may credit against the active sentence imposed on a defendant the time the defendant was an inpatient at the treatment facility, provided such treatment occurred after the commission of the offense for which the defendant is being sentenced. The credit may not be used more than once during the seven-year period immediately preceding the date of the offense. This section shall not be construed to limit the authority of the judge in sentencing under any other provisions of law."

Sec. 2. This act is effective upon ratification.