

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 209

Short Title: Modify Active Sentence.

(Public)

Sponsors: Senators Ballance, Parnell, and Hartsell.

Referred to: Judiciary II/Election Laws.

February 15, 1995

A BILL TO BE ENTITLED

AN ACT TO MODIFY MISDEMEANOR STRUCTURED SENTENCING STATUTES
TO PERMIT AN ACTIVE SENTENCE EQUAL TO OR LESS THAN TIME
SERVED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.20 is amended by adding a new subsection to read:

"(c1) Active Punishment Exception. – The court may impose an active punishment for a class of offense and prior conviction level that does not otherwise authorize the imposition of an active punishment if the term of imprisonment is equal to or less than the total amount of time the offender has already spent committed to or in confinement in any State or local correctional, mental, or other institution as a result of the charge that culminated in the sentence."

Sec. 2. This act becomes effective December 1, 1995.