

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**SENATE BILL 2066**

Short Title: Adjust B1-E Felony Penalties.

(Public)

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Sponsors: Senator Kinnaird.

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Referred to: Judiciary I (Civil).

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May 28, 2008

A BILL TO BE ENTITLED

AN ACT TO REALLOCATE THREE MONTHS FROM THE MINIMUM SENTENCE OF CLASSES B1 THROUGH E TO THE MAXIMUM SENTENCE, AND TO INCREASE THE PERIOD OF POST-RELEASE SUPERVISION FROM NINE MONTHS TO TWELVE MONTHS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 15A-1340.17 reads as rewritten:

**"§ 15A-1340.17. Punishment limits for each class of offense and prior record level.**

(a) Offense Classification; Default Classifications. – The offense classification is as specified in the offense for which the sentence is being imposed. If the offense is a felony for which there is no classification, it is a Class I felony.

(b) Fines. – Any judgment that includes a sentence of imprisonment may also include a fine. If a community punishment is authorized, the judgment may consist of a fine only. Additionally, when the defendant is other than an individual, the judgment may consist of a fine only. Unless otherwise provided, the amount of the fine is in the discretion of the court.

(c) Punishments for Each Class of Offense and Prior Record Level; Punishment Chart Described. – The authorized punishment for each class of offense and prior record level is as specified in the chart below. Prior record levels are indicated by the Roman numerals placed horizontally on the top of the chart. Classes of offense are indicated by the letters placed vertically on the left side of the chart. Each cell on the chart contains the following components:

(1) A sentence disposition or dispositions: "C" indicates that a community punishment is authorized; "I" indicates that an intermediate punishment is authorized; "A" indicates that an active punishment is authorized; and "Life Imprisonment Without Parole" indicates that the defendant shall be imprisoned for the remainder of the prisoner's natural life.

- 1 (2) A presumptive range of minimum durations, if the sentence of
- 2 imprisonment is neither aggravated or mitigated; any minimum term of
- 3 imprisonment in that range is permitted unless the court finds pursuant
- 4 to G.S. 15A-1340.16 that an aggravated or mitigated sentence is
- 5 appropriate. The presumptive range is the middle of the three ranges in
- 6 the cell.
- 7 (3) A mitigated range of minimum durations if the court finds pursuant to
- 8 G.S. 15A-1340.16 that a mitigated sentence of imprisonment is
- 9 justified; in such a case, any minimum term of imprisonment in the
- 10 mitigated range is permitted. The mitigated range is the lower of the
- 11 three ranges in the cell.
- 12 (4) An aggravated range of minimum durations if the court finds pursuant
- 13 to G.S. 15A-1340.16 that an aggravated sentence of imprisonment is
- 14 justified; in such a case, any minimum term of imprisonment in the
- 15 aggravated range is permitted. The aggravated range is the higher of
- 16 the three ranges in the cell.
- 17

**PRIOR RECORD LEVEL**

	I	II	III	IV	V	VI	
	0 Pts	1-4 Pts	5-8 Pts	9-14 Pts	15-18 Pts	19+ Pts	
A	Life Imprisonment Without Parole or Death as Established by Statute						
	A	A	A	A	A	A	DISPOSITION
	<del>240-300</del>	<del>288-360</del>	<del>336-420</del>	<del>384-480</del>	Life Imprisonment		Aggravated
					Without Parole		
B1	<del>192-240</del>	<del>230-288</del>	<del>269-336</del>	<del>307-384</del>	<del>346-433</del>	<del>384-480</del>	PRESUMPTIVE
	<del>144-192</del>	<del>173-230</del>	<del>202-269</del>	<del>230-307</del>	<del>260-346</del>	<del>288-384</del>	Mitigated
	<del>237-297</del>	<del>285-357</del>	<del>333-417</del>	<del>381-477</del>	Life Imprisonment		Aggravated
					Without Parole		
B1	<u>189-237</u>	<u>227-285</u>	<u>266-333</u>	<u>304-381</u>	<u>343-430</u>	<u>381-477</u>	PRESUMPTIVE
	<u>141-189</u>	<u>170-227</u>	<u>199-266</u>	<u>227-304</u>	<u>257-343</u>	<u>285-381</u>	Mitigated
	A	A	A	A	A	A	DISPOSITION
	<del>157-196</del>	<del>189-237</del>	<del>220-276</del>	<del>251-313</del>	<del>282-353</del>	<del>313-392</del>	Aggravated
B2	<del>125-157</del>	<del>151-189</del>	<del>176-220</del>	<del>201-251</del>	<del>225-282</del>	<del>251-313</del>	PRESUMPTIVE
	<del>94-125</del>	<del>114-151</del>	<del>132-176</del>	<del>151-201</del>	<del>169-225</del>	<del>188-251</del>	Mitigated
	<del>154-193</del>	<del>186-234</del>	<del>217-273</del>	<del>248-310</del>	<del>279-350</del>	<del>310-389</del>	Aggravated
B2	<u>122-154</u>	<u>148-186</u>	<u>173-217</u>	<u>198-248</u>	<u>222-279</u>	<u>248-310</u>	PRESUMPTIVE
	<u>91-122</u>	<u>111-148</u>	<u>129-173</u>	<u>148-198</u>	<u>166-222</u>	<u>185-248</u>	Mitigated
	A	A	A	A	A	A	DISPOSITION
	<del>73-92</del>	<del>100-125</del>	<del>116-145</del>	<del>133-167</del>	<del>151-188</del>	<del>168-210</del>	Aggravated
E	<del>58-73</del>	<del>80-100</del>	<del>93-116</del>	<del>107-133</del>	<del>121-151</del>	<del>135-168</del>	PRESUMPTIVE
	<del>44-58</del>	<del>60-80</del>	<del>70-93</del>	<del>80-107</del>	<del>90-121</del>	<del>101-135</del>	Mitigated
	<del>70-89</del>	<del>97-122</del>	<del>113-142</del>	<del>130-164</del>	<del>148-185</del>	<del>165-207</del>	Aggravated
C	<u>55-70</u>	<u>77-97</u>	<u>90-113</u>	<u>104-130</u>	<u>118-148</u>	<u>132-165</u>	PRESUMPTIVE

1		<u>41-55</u>	<u>57-77</u>	<u>67-90</u>	<u>77-104</u>	<u>87-118</u>	<u>98-132</u>	<u>Mitigated</u>
2		A	A	A	A	A	A	DISPOSITION
3		<del>64-80</del>	<del>77-95</del>	<del>103-129</del>	<del>117-146</del>	<del>133-167</del>	<del>146-183</del>	<del>Aggravated</del>
4	D	<del>51-64</del>	<del>61-77</del>	<del>82-103</del>	<del>94-117</del>	<del>107-133</del>	<del>117-146</del>	<del>PRESUMPTIVE</del>
5		<del>38-51</del>	<del>46-61</del>	<del>61-82</del>	<del>71-94</del>	<del>80-107</del>	<del>88-117</del>	<del>Mitigated</del>
6		<u>61-77</u>	<u>74-92</u>	<u>100-126</u>	<u>114-143</u>	<u>130-164</u>	<u>143-180</u>	<u>Aggravated</u>
7	D	<u>48-61</u>	<u>58-74</u>	<u>79-100</u>	<u>91-114</u>	<u>104-130</u>	<u>114-143</u>	<u>PRESUMPTIVE</u>
8		<u>35-48</u>	<u>43-58</u>	<u>58-79</u>	<u>68-91</u>	<u>77-104</u>	<u>85-114</u>	<u>Mitigated</u>
9		I/A	I/A	A	A	A	A	DISPOSITION
10		<del>25-31</del>	<del>29-36</del>	<del>34-42</del>	<del>46-58</del>	<del>53-66</del>	<del>59-74</del>	<del>Aggravated</del>
11	E	<del>20-25</del>	<del>23-29</del>	<del>27-34</del>	<del>37-46</del>	<del>42-53</del>	<del>47-59</del>	<del>PRESUMPTIVE</del>
12		<del>15-20</del>	<del>17-23</del>	<del>20-27</del>	<del>28-37</del>	<del>32-42</del>	<del>35-47</del>	<del>Mitigated</del>
13		<u>22-28</u>	<u>26-33</u>	<u>31-39</u>	<u>43-55</u>	<u>50-63</u>	<u>56-71</u>	<u>Aggravated</u>
14	E	<u>17-22</u>	<u>20-26</u>	<u>24-31</u>	<u>34-43</u>	<u>39-50</u>	<u>44-56</u>	<u>PRESUMPTIVE</u>
15		<u>12-17</u>	<u>14-20</u>	<u>17-24</u>	<u>25-34</u>	<u>29-39</u>	<u>32-44</u>	<u>Mitigated</u>
16		I/A	I/A	I/A	A	A	A	DISPOSITION
17		<del>16-20</del>	<del>19-24</del>	<del>21-26</del>	<del>25-31</del>	<del>34-42</del>	<del>39-49</del>	<del>Aggravated</del>
18	F	<del>13-16</del>	<del>15-19</del>	<del>17-21</del>	<del>20-25</del>	<del>27-34</del>	<del>31-39</del>	<del>PRESUMPTIVE</del>
19		<del>10-13</del>	<del>11-15</del>	<del>13-17</del>	<del>15-20</del>	<del>20-27</del>	<del>23-31</del>	<del>Mitigated</del>
20		I/A	I/A	I/A	I/A	A	A	DISPOSITION
21		<del>13-16</del>	<del>15-19</del>	<del>16-20</del>	<del>20-25</del>	<del>21-26</del>	<del>29-36</del>	<del>Aggravated</del>
22	G	<del>10-13</del>	<del>12-15</del>	<del>13-16</del>	<del>16-20</del>	<del>17-21</del>	<del>23-29</del>	<del>PRESUMPTIVE</del>
23		<del>8-10</del>	<del>9-12</del>	<del>10-13</del>	<del>12-16</del>	<del>13-17</del>	<del>17-23</del>	<del>Mitigated</del>
24		C/I/A	I/A	I/A	I/A	I/A	A	DISPOSITION
25		<del>6-8</del>	<del>8-10</del>	<del>10-12</del>	<del>11-14</del>	<del>15-19</del>	<del>20-25</del>	<del>Aggravated</del>
26	H	<del>5-6</del>	<del>6-8</del>	<del>8-10</del>	<del>9-11</del>	<del>12-15</del>	<del>16-20</del>	<del>PRESUMPTIVE</del>
27		<del>4-5</del>	<del>4-6</del>	<del>6-8</del>	<del>7-9</del>	<del>9-12</del>	<del>12-16</del>	<del>Mitigated</del>
28		C	C/I	I	I/A	I/A	I/A	DISPOSITION
29		<del>6-8</del>	<del>6-8</del>	<del>6-8</del>	<del>8-10</del>	<del>9-11</del>	<del>10-12</del>	<del>Aggravated</del>
30	I	<del>4-6</del>	<del>4-6</del>	<del>5-6</del>	<del>6-8</del>	<del>7-9</del>	<del>8-10</del>	<del>PRESUMPTIVE</del>
31		<del>3-4</del>	<del>3-4</del>	<del>4-5</del>	<del>4-6</del>	<del>5-7</del>	<del>6-8</del>	<del>Mitigated</del>

(d) Maximum Sentences Specified for Class F through Class I Felonies. – Unless provided otherwise in a statute establishing a punishment for a specific crime, for each minimum term of imprisonment in the chart in subsection (c) of this section, expressed in months, the corresponding maximum term of imprisonment, also expressed in months, is as specified in the table below for Class F through Class I felonies. The first figure in each cell in the table is the minimum term and the second is the maximum term.

40	3-4	4-5	5-6	6-8	7-9	8-10	9-11	10-12
41	11-14	12-15	13-16	14-17	15-18	16-20	17-21	18-22
42	19-23	20-24	21-26	22-27	23-28	24-29	25-30	26-32
43	27-33	28-34	29-35	30-36	31-38	32-39	33-40	34-41
44	35-42	36-44	37-45	38-46	39-47	40-48	41-50	42-51

	43-52	44-53	45-54	46-56	47-57	48-58	49-59	
1								
2								
3	(e) Maximum Sentences Specified for Class B1 through Class E Felonies for							
4	Minimum Terms up to 339 Months. – Unless provided otherwise in a statute							
5	establishing a punishment for a specific crime, for each minimum term of imprisonment							
6	in the chart in subsection (c) of this section, expressed in months, the corresponding							
7	maximum term of imprisonment, also expressed in months, is as specified in the table							
8	below for Class B1 through Class E felonies. The first figure in each cell of the table is							
9	the minimum term and the second is the maximum term.							
10								
11	15-27	16-29	17-30	18-31	19-32	20-33	21-35	22-36
12	23-37	24-38	25-39	26-41	27-42	28-43	29-44	30-45
13	31-47	32-48	33-49	34-50	35-51	36-53	37-54	38-55
14	39-56	40-57	41-59	42-60	43-61	44-62	45-63	46-65
15	47-66	48-67	49-68	50-69	51-71	52-72	53-73	54-74
16	55-75	56-77	57-78	58-79	59-80	60-81	61-83	62-84
17	63-85	64-86	65-87	66-89	67-90	68-91	69-92	70-93
18	71-95	72-96	73-97	74-98	75-99	76-101	77-102	78-103
19	79-104	80-105	81-107	82-108	83-109	84-110	85-111	86-113
20	87-114	88-115	89-116	90-117	91-119	92-120	93-121	94-122
21	95-123	96-125	97-126	98-127	99-128	100-129	101-131	102-132
22	103-133	104-134	105-135	106-137	107-138	108-139	109-140	110-141
23	111-143	112-144	113-145	114-146	115-147	116-149	117-150	118-151
24	119-152	120-153	121-155	122-156	123-157	124-158	125-159	126-161
25	127-162	128-163	129-164	130-165	131-167	132-168	133-169	134-170
26	135-171	136-173	137-174	138-175	139-176	140-177	141-179	142-180
27	143-181	144-182	145-183	146-185	147-186	148-187	149-188	150-189
28	151-191	152-192	153-193	154-194	155-195	156-197	157-198	158-199
29	159-200	160-201	161-203	162-204	163-205	164-206	165-207	166-209
30	167-210	168-211	169-212	170-213	171-215	172-216	173-217	174-218
31	175-219	176-221	177-222	178-223	179-224	180-225	181-227	182-228
32	183-229	184-230	185-231	186-233	187-234	188-235	189-236	190-237
33	191-239	192-240	193-241	194-242	195-243	196-245	197-246	198-247
34	199-248	200-249	201-251	202-252	203-253	204-254	205-255	206-257
35	207-258	208-259	209-260	210-261	211-263	212-264	213-265	214-266
36	215-267	216-269	217-270	218-271	219-272	220-273	221-275	222-276
37	223-277	224-278	225-279	226-281	227-282	228-283	229-284	230-285
38	231-287	232-288	233-289	234-290	235-291	236-293	237-294	238-295
39	239-296	240-297	241-299	242-300	243-301	244-302	245-303	246-305
40	247-306	248-307	249-308	250-309	251-311	252-312	253-313	254-314
41	255-315	256-317	257-318	258-319	259-320	260-321	261-323	262-324
42	263-325	264-326	265-327	266-329	267-330	268-331	269-332	270-333
43	271-335	272-336	273-337	274-338	275-339	276-341	277-342	278-343
44	279-344	280-345	281-347	282-348	283-349	284-350	285-351	286-353

1	<del>287-354</del>	<del>288-355</del>	<del>289-356</del>	<del>290-357</del>	<del>291-359</del>	<del>292-360</del>	<del>293-361</del>	<del>294-362</del>
2	<del>295-363</del>	<del>296-365</del>	<del>297-366</del>	<del>298-367</del>	<del>299-368</del>	<del>300-369</del>	<del>301-371</del>	<del>302-372</del>
3	<del>303-373</del>	<del>304-374</del>	<del>305-375</del>	<del>306-377</del>	<del>307-378</del>	<del>308-379</del>	<del>309-380</del>	<del>310-381</del>
4	<del>311-383</del>	<del>312-384</del>	<del>313-385</del>	<del>314-386</del>	<del>315-387</del>	<del>316-389</del>	<del>317-390</del>	<del>318-391</del>
5	<del>319-392</del>	<del>320-393</del>	<del>321-395</del>	<del>322-396</del>	<del>323-397</del>	<del>324-398</del>	<del>325-399</del>	<del>326-401</del>
6	<del>327-402</del>	<del>328-403</del>	<del>329-404</del>	<del>330-405</del>	<del>331-407</del>	<del>332-408</del>	<del>333-409</del>	<del>334-410</del>
7	<del>335-411</del>	<del>336-413</del>	<del>337-414</del>	<del>338-415</del>	<del>339-416</del>			
8	<u>12-27</u>	<u>13-28</u>	<u>14-29</u>	<u>15-30</u>	<u>16-32</u>	<u>17-33</u>	<u>18-34</u>	<u>19-35</u>
9	<u>20-36</u>	<u>21-38</u>	<u>22-39</u>	<u>23-40</u>	<u>24-41</u>	<u>25-42</u>	<u>26-44</u>	<u>27-45</u>
10	<u>28-46</u>	<u>29-47</u>	<u>30-48</u>	<u>31-50</u>	<u>32-51</u>	<u>33-52</u>	<u>34-53</u>	<u>35-54</u>
11	<u>36-56</u>	<u>37-57</u>	<u>38-58</u>	<u>39-59</u>	<u>40-60</u>	<u>41-62</u>	<u>42-63</u>	<u>43-64</u>
12	<u>44-65</u>	<u>45-66</u>	<u>46-68</u>	<u>47-69</u>	<u>48-70</u>	<u>49-71</u>	<u>50-72</u>	<u>51-74</u>
13	<u>52-75</u>	<u>53-76</u>	<u>54-77</u>	<u>55-78</u>	<u>56-80</u>	<u>57-81</u>	<u>58-82</u>	<u>59-83</u>
14	<u>60-84</u>	<u>61-86</u>	<u>62-87</u>	<u>63-88</u>	<u>64-89</u>	<u>65-90</u>	<u>66-92</u>	<u>67-93</u>
15	<u>68-94</u>	<u>69-95</u>	<u>70-96</u>	<u>71-98</u>	<u>72-99</u>	<u>73-100</u>	<u>74-101</u>	<u>75-102</u>
16	<u>76-104</u>	<u>77-105</u>	<u>78-106</u>	<u>79-107</u>	<u>80-108</u>	<u>81-110</u>	<u>82-111</u>	<u>83-112</u>
17	<u>84-113</u>	<u>85-114</u>	<u>86-116</u>	<u>87-117</u>	<u>88-118</u>	<u>89-119</u>	<u>90-120</u>	<u>91-122</u>
18	<u>92-123</u>	<u>93-124</u>	<u>94-125</u>	<u>95-126</u>	<u>96-128</u>	<u>97-129</u>	<u>98-130</u>	<u>99-131</u>
19	<u>100-132</u>	<u>101-134</u>	<u>102-135</u>	<u>103-136</u>	<u>104-137</u>	<u>105-138</u>	<u>106-140</u>	<u>107-141</u>
20	<u>108-142</u>	<u>109-143</u>	<u>110-144</u>	<u>111-146</u>	<u>112-147</u>	<u>113-148</u>	<u>114-149</u>	<u>115-150</u>
21	<u>116-152</u>	<u>117-153</u>	<u>118-154</u>	<u>119-155</u>	<u>120-156</u>	<u>121-158</u>	<u>122-159</u>	<u>123-160</u>
22	<u>124-161</u>	<u>125-162</u>	<u>126-164</u>	<u>127-165</u>	<u>128-166</u>	<u>129-167</u>	<u>130-168</u>	<u>131-170</u>
23	<u>132-171</u>	<u>133-172</u>	<u>134-173</u>	<u>135-175</u>	<u>136-176</u>	<u>137-177</u>	<u>138-178</u>	<u>139-179</u>
24	<u>140-180</u>	<u>141-182</u>	<u>142-183</u>	<u>143-184</u>	<u>144-185</u>	<u>145-186</u>	<u>146-188</u>	<u>147-189</u>
25	<u>148-190</u>	<u>149-191</u>	<u>150-192</u>	<u>151-194</u>	<u>152-195</u>	<u>153-196</u>	<u>154-197</u>	<u>155-198</u>
26	<u>156-200</u>	<u>157-201</u>	<u>158-202</u>	<u>159-203</u>	<u>160-204</u>	<u>161-206</u>	<u>162-207</u>	<u>163-208</u>
27	<u>164-209</u>	<u>165-210</u>	<u>166-212</u>	<u>167-213</u>	<u>168-214</u>	<u>169-215</u>	<u>170-216</u>	<u>171-218</u>
28	<u>172-219</u>	<u>173-220</u>	<u>174-221</u>	<u>175-222</u>	<u>176-224</u>	<u>177-225</u>	<u>178-226</u>	<u>179-227</u>
29	<u>180-228</u>	<u>181-230</u>	<u>182-231</u>	<u>183-232</u>	<u>184-233</u>	<u>185-234</u>	<u>186-236</u>	<u>187-237</u>
30	<u>188-238</u>	<u>189-239</u>	<u>190-240</u>	<u>191-242</u>	<u>192-243</u>	<u>193-244</u>	<u>194-245</u>	<u>195-246</u>
31	<u>196-248</u>	<u>197-249</u>	<u>198-250</u>	<u>199-251</u>	<u>200-252</u>	<u>201-254</u>	<u>202-255</u>	<u>203-256</u>
32	<u>204-257</u>	<u>205-258</u>	<u>206-260</u>	<u>207-261</u>	<u>208-262</u>	<u>209-263</u>	<u>210-264</u>	<u>211-266</u>
33	<u>212-267</u>	<u>213-268</u>	<u>214-269</u>	<u>215-270</u>	<u>216-272</u>	<u>217-273</u>	<u>218-274</u>	<u>219-275</u>
34	<u>220-276</u>	<u>221-278</u>	<u>222-279</u>	<u>223-280</u>	<u>224-281</u>	<u>225-282</u>	<u>226-284</u>	<u>227-285</u>
35	<u>228-286</u>	<u>229-287</u>	<u>230-288</u>	<u>231-290</u>	<u>232-291</u>	<u>233-292</u>	<u>234-293</u>	<u>235-294</u>
36	<u>236-296</u>	<u>237-297</u>	<u>238-298</u>	<u>239-299</u>	<u>240-300</u>	<u>241-302</u>	<u>242-303</u>	<u>243-304</u>
37	<u>244-305</u>	<u>245-306</u>	<u>246-308</u>	<u>247-309</u>	<u>248-310</u>	<u>249-311</u>	<u>250-312</u>	<u>251-314</u>
38	<u>252-315</u>	<u>253-316</u>	<u>254-317</u>	<u>255-318</u>	<u>256-320</u>	<u>257-321</u>	<u>258-322</u>	<u>259-323</u>
39	<u>260-324</u>	<u>261-326</u>	<u>262-327</u>	<u>263-328</u>	<u>264-329</u>	<u>265-330</u>	<u>266-332</u>	<u>267-333</u>
40	<u>268-334</u>	<u>269-335</u>	<u>270-336</u>	<u>271-338</u>	<u>272-339</u>	<u>273-340</u>	<u>274-341</u>	<u>275-342</u>
41	<u>276-344</u>	<u>277-345</u>	<u>278-346</u>	<u>279-347</u>	<u>280-348</u>	<u>281-350</u>	<u>282-351</u>	<u>283-352</u>
42	<u>284-353</u>	<u>285-354</u>	<u>286-356</u>	<u>287-357</u>	<u>288-358</u>	<u>289-359</u>	<u>290-360</u>	<u>291-362</u>
43	<u>292-363</u>	<u>293-364</u>	<u>294-365</u>	<u>295-366</u>	<u>296-368</u>	<u>297-369</u>	<u>298-370</u>	<u>299-371</u>
44	<u>300-372</u>	<u>301-374</u>	<u>302-375</u>	<u>303-376</u>	<u>304-377</u>	<u>305-378</u>	<u>306-380</u>	<u>307-381</u>

1 308-382    309-383    310-384    311-386    312-387    313-388    314-389    315-390  
 2 316-392    317-393    318-394    319-395    320-396    321-398    322-399    323-400  
 3 324-401    325-402    326-404    327-405    328-406    329-407    330-408    331-410  
 4 332-411    333-412    334-413    335-414    336-416    337-417    338-418    339-419

5 (e1) Maximum Sentences Specified for Class B1 through Class E Felonies for  
 6 Minimum Terms of 340 Months or More. – Unless provided otherwise in a statute  
 7 establishing a punishment for a specific crime, when the minimum sentence is 340  
 8 months or more, the corresponding maximum term of imprisonment shall be equal to  
 9 the sum of the minimum term of imprisonment and twenty percent (20%) of the  
 10 minimum term of imprisonment, rounded to the next highest month, plus ~~nine~~12  
 11 additional months."

12 **SECTION 2.** G.S. 15A-1368(a)(5) reads as rewritten:

13 "(5) Maximum imposed term. – The maximum term of imprisonment  
 14 imposed on an individual prisoner by a court judgment, as described in  
 15 G.S. 15A-1340.13(c). When a prisoner is serving consecutive prison  
 16 terms, the maximum imposed term, for purposes of this Article, is the  
 17 sum of all maximum terms imposed in the court judgment or  
 18 judgments, less ~~nine~~12 months for each of the second and subsequent  
 19 sentences imposed for Class B through Class E felonies."

20 **SECTION 3.** G.S. 15A-1368.2 reads as rewritten:

21 **"§ 15A-1368.2. Post-release supervision eligibility and procedure.**

22 (a) A prisoner to whom this Article applies shall be released from prison for  
 23 post-release supervision on the date equivalent to his maximum imposed prison term  
 24 less nine months, less any earned time awarded by the Department of Correction or the  
 25 custodian of a local confinement facility under G.S. 15A-1340.13(d). If a prisoner has  
 26 not been awarded any earned time, the prisoner shall be released for post-release  
 27 supervision on the date equivalent to his maximum prison term less ~~nine~~12 months.

28 (b) A prisoner shall not refuse post-release supervision.

29 (c) A supervisee's period of post-release supervision shall be for a period of ~~nine~~  
 30 12 months, unless the offense is an offense for which registration is required pursuant to  
 31 Article 27A of Chapter 14 of the General Statutes. For offenses subject to the  
 32 registration requirement of Article 27A of Chapter 14 of the General Statutes, the period  
 33 of post-release supervision is five years. The conditions of post-release supervision are  
 34 as authorized in G.S. 15A-1368.5.

35 (c1) Notwithstanding subsection (c) of this section, a person required to submit to  
 36 satellite-based monitoring pursuant to G.S. 15A-1368.4(b1)(6) shall continue to  
 37 participate in satellite-based monitoring beyond the period of post-release supervision  
 38 until the Commission releases the person from that requirement pursuant to  
 39 G.S. 14-208.43.

40 (d) A supervisee's period of post-release supervision may be reduced while the  
 41 supervisee is under supervision by earned time awarded by the Department of  
 42 Correction, pursuant to rules adopted in accordance with law. A supervisee is eligible to  
 43 receive earned time credit toward the period of supervision for compliance with  
 44 reintegrative conditions described in G.S. 15A-1368.5.

1 (e) Repealed by Session Laws 1997-237, s. 7.

2 (f) When a supervisee completes the period of post-release supervision, the  
3 sentence or sentences from which the supervisee was placed on post-release supervision  
4 are terminated."

5 **SECTION 4.** This act becomes effective December 1, 2008, and applies to  
6 offenses committed on or after that date.