

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE DRS55231-LH-166A (3/6)

Short Title: Adjust B1-E Felony Penalties.

(Public)

Sponsors: Senator Kinnaird.

Referred to:

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.

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

PRIOR RECORD LEVEL

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

| | | | | | | | | |
|----|----------|------------------|------------------|--------------------|--------------------|--------------------|--------------------|-------------|
| 1 | | <u>70-89</u> | <u>97-122</u> | <u>113-142</u> | <u>130-164</u> | <u>148-185</u> | <u>165-207</u> | Aggravated |
| 2 | <u>C</u> | <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 |
| 3 | | <u>41-55</u> | <u>57-77</u> | <u>67-90</u> | <u>77-104</u> | <u>87-118</u> | <u>98-132</u> | Mitigated |
| 4 | | A | A | A | A | A | A | DISPOSITION |
| 5 | | 64-80 | 77-95 | 103-129 | 117-146 | 133-167 | 146-183 | Aggravated |
| 6 | <u>D</u> | <u>51-64</u> | <u>61-77</u> | <u>82-103</u> | <u>94-117</u> | <u>107-133</u> | <u>117-146</u> | PRESUMPTIVE |
| 7 | | 38-51 | 46-61 | 61-82 | 71-94 | 80-107 | 88-117 | Mitigated |
| 8 | | <u>61-77</u> | <u>74-92</u> | <u>100-126</u> | <u>114-143</u> | <u>130-164</u> | <u>143-180</u> | Aggravated |
| 9 | <u>D</u> | <u>48-61</u> | <u>58-74</u> | <u>79-100</u> | <u>91-114</u> | <u>104-130</u> | <u>114-143</u> | PRESUMPTIVE |
| 10 | | <u>35-48</u> | <u>43-58</u> | <u>58-79</u> | <u>68-91</u> | <u>77-104</u> | <u>85-114</u> | Mitigated |
| 11 | | I/A | I/A | A | A | A | A | DISPOSITION |
| 12 | | 25-31 | 29-36 | 34-42 | 46-58 | 53-66 | 59-74 | Aggravated |
| 13 | <u>E</u> | <u>20-25</u> | <u>23-29</u> | <u>27-34</u> | <u>37-46</u> | <u>42-53</u> | <u>47-59</u> | PRESUMPTIVE |
| 14 | | 15-20 | 17-23 | 20-27 | 28-37 | 32-42 | 35-47 | Mitigated |
| 15 | | <u>22-28</u> | <u>26-33</u> | <u>31-39</u> | <u>43-55</u> | <u>50-63</u> | <u>56-71</u> | Aggravated |
| 16 | <u>E</u> | <u>17-22</u> | <u>20-26</u> | <u>24-31</u> | <u>34-43</u> | <u>39-50</u> | <u>44-56</u> | PRESUMPTIVE |
| 17 | | <u>12-17</u> | <u>14-20</u> | <u>17-24</u> | <u>25-34</u> | <u>29-39</u> | <u>32-44</u> | Mitigated |
| 18 | | I/A | I/A | I/A | A | A | A | DISPOSITION |
| 19 | | 16-20 | 19-24 | 21-26 | 25-31 | 34-42 | 39-49 | Aggravated |
| 20 | <u>F</u> | <u>13-16</u> | <u>15-19</u> | <u>17-21</u> | <u>20-25</u> | <u>27-34</u> | <u>31-39</u> | PRESUMPTIVE |
| 21 | | 10-13 | 11-15 | 13-17 | 15-20 | 20-27 | 23-31 | Mitigated |
| 22 | | I/A | I/A | I/A | I/A | A | A | DISPOSITION |
| 23 | | 13-16 | 15-19 | 16-20 | 20-25 | 21-26 | 29-36 | Aggravated |
| 24 | <u>G</u> | <u>10-13</u> | <u>12-15</u> | <u>13-16</u> | <u>16-20</u> | <u>17-21</u> | <u>23-29</u> | PRESUMPTIVE |
| 25 | | 8-10 | 9-12 | 10-13 | 12-16 | 13-17 | 17-23 | Mitigated |
| 26 | | C/I/A | I/A | I/A | I/A | I/A | A | DISPOSITION |
| 27 | | 6-8 | 8-10 | 10-12 | 11-14 | 15-19 | 20-25 | Aggravated |
| 28 | <u>H</u> | <u>5-6</u> | <u>6-8</u> | <u>8-10</u> | <u>9-11</u> | <u>12-15</u> | <u>16-20</u> | PRESUMPTIVE |
| 29 | | 4-5 | 4-6 | 6-8 | 7-9 | 9-12 | 12-16 | Mitigated |
| 30 | | C | C/I | I | I/A | I/A | I/A | DISPOSITION |
| 31 | | 6-8 | 6-8 | 6-8 | 8-10 | 9-11 | 10-12 | Aggravated |
| 32 | <u>I</u> | <u>4-6</u> | <u>4-6</u> | <u>5-6</u> | <u>6-8</u> | <u>7-9</u> | <u>8-10</u> | PRESUMPTIVE |
| 33 | | 3-4 | 3-4 | 4-5 | 4-6 | 5-7 | 6-8 | Mitigated |

(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.

| | | | | | | | | |
|----|-------|-------|-------|-------|-------|-------|-------|-------|
| 41 | | | | | | | | |
| 42 | 3-4 | 4-5 | 5-6 | 6-8 | 7-9 | 8-10 | 9-11 | 10-12 |
| 43 | 11-14 | 12-15 | 13-16 | 14-17 | 15-18 | 16-20 | 17-21 | 18-22 |
| 44 | 19-23 | 20-24 | 21-26 | 22-27 | 23-28 | 24-29 | 25-30 | 26-32 |

| | | | | | | | | |
|---|-------|-------|-------|-------|-------|-------|-------|-------|
| 1 | 27-33 | 28-34 | 29-35 | 30-36 | 31-38 | 32-39 | 33-40 | 34-41 |
| 2 | 35-42 | 36-44 | 37-45 | 38-46 | 39-47 | 40-48 | 41-50 | 42-51 |
| 3 | 43-52 | 44-53 | 45-54 | 46-56 | 47-57 | 48-58 | 49-59 | |

4
 5 (e) Maximum Sentences Specified for Class B1 through Class E Felonies for
 6 Minimum Terms up to 339 Months. – Unless provided otherwise in a statute
 7 establishing a punishment for a specific crime, for each minimum term of imprisonment
 8 in the chart in subsection (c) of this section, expressed in months, the corresponding
 9 maximum term of imprisonment, also expressed in months, is as specified in the table
 10 below for Class B1 through Class E felonies. The first figure in each cell of the table is
 11 the minimum term and the second is the maximum term.

| | | | | | | | | |
|----|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| 12 | | | | | | | | |
| 13 | 15-27 | 16-29 | 17-30 | 18-31 | 19-32 | 20-33 | 21-35 | 22-36 |
| 14 | 23-37 | 24-38 | 25-39 | 26-41 | 27-42 | 28-43 | 29-44 | 30-45 |
| 15 | 31-47 | 32-48 | 33-49 | 34-50 | 35-51 | 36-53 | 37-54 | 38-55 |
| 16 | 39-56 | 40-57 | 41-59 | 42-60 | 43-61 | 44-62 | 45-63 | 46-65 |
| 17 | 47-66 | 48-67 | 49-68 | 50-69 | 51-71 | 52-72 | 53-73 | 54-74 |
| 18 | 55-75 | 56-77 | 57-78 | 58-79 | 59-80 | 60-81 | 61-83 | 62-84 |
| 19 | 63-85 | 64-86 | 65-87 | 66-89 | 67-90 | 68-91 | 69-92 | 70-93 |
| 20 | 71-95 | 72-96 | 73-97 | 74-98 | 75-99 | 76-101 | 77-102 | 78-103 |
| 21 | 79-104 | 80-105 | 81-107 | 82-108 | 83-109 | 84-110 | 85-111 | 86-113 |
| 22 | 87-114 | 88-115 | 89-116 | 90-117 | 91-119 | 92-120 | 93-121 | 94-122 |
| 23 | 95-123 | 96-125 | 97-126 | 98-127 | 99-128 | 100-129 | 101-131 | 102-132 |
| 24 | 103-133 | 104-134 | 105-135 | 106-137 | 107-138 | 108-139 | 109-140 | 110-141 |
| 25 | 111-143 | 112-144 | 113-145 | 114-146 | 115-147 | 116-149 | 117-150 | 118-151 |
| 26 | 119-152 | 120-153 | 121-155 | 122-156 | 123-157 | 124-158 | 125-159 | 126-161 |
| 27 | 127-162 | 128-163 | 129-164 | 130-165 | 131-167 | 132-168 | 133-169 | 134-170 |
| 28 | 135-171 | 136-173 | 137-174 | 138-175 | 139-176 | 140-177 | 141-179 | 142-180 |
| 29 | 143-181 | 144-182 | 145-183 | 146-185 | 147-186 | 148-187 | 149-188 | 150-189 |
| 30 | 151-191 | 152-192 | 153-193 | 154-194 | 155-195 | 156-197 | 157-198 | 158-199 |
| 31 | 159-200 | 160-201 | 161-203 | 162-204 | 163-205 | 164-206 | 165-207 | 166-209 |
| 32 | 167-210 | 168-211 | 169-212 | 170-213 | 171-215 | 172-216 | 173-217 | 174-218 |
| 33 | 175-219 | 176-221 | 177-222 | 178-223 | 179-224 | 180-225 | 181-227 | 182-228 |
| 34 | 183-229 | 184-230 | 185-231 | 186-233 | 187-234 | 188-235 | 189-236 | 190-237 |
| 35 | 191-239 | 192-240 | 193-241 | 194-242 | 195-243 | 196-245 | 197-246 | 198-247 |
| 36 | 199-248 | 200-249 | 201-251 | 202-252 | 203-253 | 204-254 | 205-255 | 206-257 |
| 37 | 207-258 | 208-259 | 209-260 | 210-261 | 211-263 | 212-264 | 213-265 | 214-266 |
| 38 | 215-267 | 216-269 | 217-270 | 218-271 | 219-272 | 220-273 | 221-275 | 222-276 |
| 39 | 223-277 | 224-278 | 225-279 | 226-281 | 227-282 | 228-283 | 229-284 | 230-285 |
| 40 | 231-287 | 232-288 | 233-289 | 234-290 | 235-291 | 236-293 | 237-294 | 238-295 |
| 41 | 239-296 | 240-297 | 241-299 | 242-300 | 243-301 | 244-302 | 245-303 | 246-305 |
| 42 | 247-306 | 248-307 | 249-308 | 250-309 | 251-311 | 252-312 | 253-313 | 254-314 |
| 43 | 255-315 | 256-317 | 257-318 | 258-319 | 259-320 | 260-321 | 261-323 | 262-324 |
| 44 | 263-325 | 264-326 | 265-327 | 266-329 | 267-330 | 268-331 | 269-332 | 270-333 |

| | | | | | | | | |
|----|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| 1 | 271-335 | 272-336 | 273-337 | 274-338 | 275-339 | 276-341 | 277-342 | 278-343 |
| 2 | 279-344 | 280-345 | 281-347 | 282-348 | 283-349 | 284-350 | 285-351 | 286-353 |
| 3 | 287-354 | 288-355 | 289-356 | 290-357 | 291-359 | 292-360 | 293-361 | 294-362 |
| 4 | 295-363 | 296-365 | 297-366 | 298-367 | 299-368 | 300-369 | 301-371 | 302-372 |
| 5 | 303-373 | 304-374 | 305-375 | 306-377 | 307-378 | 308-379 | 309-380 | 310-381 |
| 6 | 311-383 | 312-384 | 313-385 | 314-386 | 315-387 | 316-389 | 317-390 | 318-391 |
| 7 | 319-392 | 320-393 | 321-395 | 322-396 | 323-397 | 324-398 | 325-399 | 326-401 |
| 8 | 327-402 | 328-403 | 329-404 | 330-405 | 331-407 | 332-408 | 333-409 | 334-410 |
| 9 | 335-411 | 336-413 | 337-414 | 338-415 | 339-416 | | | |
| 10 | <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> |
| 11 | <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> |
| 12 | <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> |
| 13 | <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> |
| 14 | <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> |
| 15 | <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> |
| 16 | <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> |
| 17 | <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> |
| 18 | <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> |
| 19 | <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> |
| 20 | <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> |
| 21 | <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> |
| 22 | <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> |
| 23 | <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> |
| 24 | <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> |
| 25 | <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> |
| 26 | <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> |
| 27 | <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> |
| 28 | <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> |
| 29 | <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> |
| 30 | <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> |
| 31 | <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> |
| 32 | <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> |
| 33 | <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> |
| 34 | <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> |
| 35 | <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> |
| 36 | <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> |
| 37 | <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> |
| 38 | <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> |
| 39 | <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> |
| 40 | <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> |
| 41 | <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> |
| 42 | <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> |
| 43 | <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> |
| 44 | <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> |

1 292-363 293-364 294-365 295-366 296-368 297-369 298-370 299-371
 2 300-372 301-374 302-375 303-376 304-377 305-378 306-380 307-381
 3 308-382 309-383 310-384 311-386 312-387 313-388 314-389 315-390
 4 316-392 317-393 318-394 319-395 320-396 321-398 322-399 323-400
 5 324-401 325-402 326-404 327-405 328-406 329-407 330-408 331-410
 6 332-411 333-412 334-413 335-414 336-416 337-417 338-418 339-419

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

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

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

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

23 **"§ 15A-1368.2. Post-release supervision eligibility and procedure.**

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

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

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

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

42 (d) A supervisee's period of post-release supervision may be reduced while the
 43 supervisee is under supervision by earned time awarded by the Department of
 44 Correction, pursuant to rules adopted in accordance with law. A supervisee is eligible to

1 receive earned time credit toward the period of supervision for compliance with
2 reintegrative conditions described in G.S. 15A-1368.5.

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

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

7 **SECTION 4.** This act becomes effective December 1, 2007, and applies to
8 offenses committed on or after that date.