

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE DRH50228-LL-139 (03/24)

Short Title: Substance Abuse Treatment.

(Public)

Sponsors: Representatives Guice, Ingle, and Faircloth (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE SCREENING AND ASSESSING FOR CHEMICAL
DEPENDENCY FOR DEFENDANTS ORDERED TO SUBMIT TO RESIDENTIAL
TREATMENT AT THE BLACK MOUNTAIN SUBSTANCE ABUSE TREATMENT
CENTER FOR WOMEN AND TO PROVIDE THAT A DEFENDANT MAY BE
REQUIRED TO PARTICIPATE IN TREATMENT ORDERED BY THE COURT FOR
ITS DURATION REGARDLESS OF THE LENGTH OF THE SUSPENDED SENTENCE
IMPOSED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-1343(b3) reads as rewritten:

"(b3) Screening and Assessing for Chemical Dependency. – A defendant ordered to submit to a period of residential treatment in the Drug Alcohol Recovery Treatment program (DART) or the Black Mountain Substance Abuse Treatment Center for Women operated by the Department of Correction must undergo a screening to determine chemical dependency. If the screening indicates the defendant is chemically dependent, the court shall order an assessment to determine the appropriate level of treatment. The assessment may be conducted either before or after the court imposes the condition, but participation in the program shall be based on the results of the assessment."

SECTION 2. G.S. 15A-1343(b1) reads as rewritten:

"(b1) Special Conditions. – In addition to the regular conditions of probation specified in subsection (b), the court may, as a condition of probation, require that during the probation the defendant comply with one or more of the following special conditions:

- (1) Undergo available medical or psychiatric treatment and remain in a specified institution if required for that purpose. Notwithstanding the provisions of G.S. 15A-1344(e) or any other provision of law, the defendant may be required to participate in such treatment for its duration regardless of the length of the suspended sentence imposed.

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SECTION 3. Section 2 of this act is effective when it becomes law and applies to persons sentenced on or after that date. The remainder of this act is effective when it becomes law.



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