

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 24
Committee Substitute Favorable 2/11/13
Third Edition Engrossed 2/13/13
Senate Judiciary II Committee Substitute Adopted 6/4/13

Short Title: DV/Abuser Treatment Program/Amendments.

(Public)

Sponsors:

Referred to:

January 31, 2013

A BILL TO BE ENTITLED

AN ACT TO AMEND THE PROCEDURES FOR PERSONS ON PROBATION WHO ARE DIRECTED TO PARTICIPATE IN AN ABUSER TREATMENT PROGRAM AND MAKE CLARIFYING CHANGES RELATING TO DOMESTIC VIOLENCE OFFENSES.

The General Assembly of North Carolina enacts:

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

"(b) Regular Conditions. – As regular conditions of probation, a defendant must:

...
(12) Attend and complete an abuser treatment program if (i) the court finds the defendant is responsible for acts of domestic violence and (ii) there is a program, approved by the Domestic Violence Commission, reasonably available to the defendant, unless the court finds that such would not be in the best interests of justice. A defendant attending an abuser treatment program shall abide by all of the rules of the program. ~~If the defendant is discharged from the program for failure to comply with the program or its rules, such noncompliance shall be reported to the court.~~

a. If the defendant is placed on supervised probation, the following procedures apply:

1. The probation officer shall forward a copy of the judgment, including all conditions of ~~probation~~ probation, to the abuser treatment program.

2. The program shall notify the probation officer if the defendant fails to participate in the program or if the defendant is discharged from the program for violating any of the program rules. ~~of any violations of program rules by the defendant.~~

3. If the defendant fails to participate in the program or is discharged from the program for failure to comply with the program or its rules, the probation officer shall file a violation report with the court and notify the district attorney of such noncompliance.

b. If the defendant is placed on unsupervised probation, the following procedures apply:



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