

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

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**HOUSE BILL 839**

Short Title: Study Community-Based Sentencing Alternatives. (Public)

Sponsors: Representatives Clemmons, Horn, and Farmer-Butterfield (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Rules, Calendar, and Operations of the House

April 18, 2019

A BILL TO BE ENTITLED

AN ACT TO CREATE A LEGISLATIVE STUDY COMMITTEE TO STUDY  
COMMUNITY-BASED SENTENCING ALTERNATIVES FOR PEOPLE WHO HAVE  
BEEN CONVICTED OF NONVIOLENT CRIMES AND WHO ARE THE PRIMARY  
CARETAKERS OF DEPENDENT CHILDREN.

The General Assembly of North Carolina enacts:

**SECTION 1.** There is established a Joint Legislative Study Committee on  
Alternative Sentencing (Committee). The Committee shall study community-based sentencing  
alternatives for people who have been convicted of nonviolent crimes and who are the primary  
caretakers of dependent children.

**SECTION 2.** The Committee shall consist of 12 members. Six members of the  
Committee shall be appointed by the Speaker of the House of Representatives (Speaker). Five of  
the Speaker appointees shall be members of the North Carolina General Assembly, two of whom  
shall be members of the minority political party, and one Speaker appointee shall be a member  
of the public that at one time served an active criminal sentence for a nonviolent offense while  
being the primary caretaker of a dependent child. Six members of the Committee shall be  
appointed by the President Pro Tempore of the Senate (President Pro Tem). Five of the President  
Pro Tem appointees shall be members of the North Carolina General Assembly, two of whom  
shall be members of the minority political party, and one President Pro Tem appointee shall be a  
member of the public that at one time served an active criminal sentence for a nonviolent offense  
while being the primary caretaker of a dependent child. The Speaker and the President Pro Tem  
shall each appoint a cochair for the Committee. A quorum of the Committee is a majority of its  
members.

**SECTION 3.** Members of the Committee shall receive per diem, subsistence, and  
travel allowances in accordance with G.S. 120-3.1 or G.S. 138-5, as appropriate.

**SECTION 4.** Subject to the approval of the Legislative Services Commission, the  
Committee may meet in the State Legislative Building or the Legislative Office Building. The  
Legislative Services Commission, through the Legislative Services Officer, shall assign  
professional staff to assist in the work of the Committee. The House of Representatives' and the  
Senate's Directors of Legislative Assistants shall assign clerical staff to the Committee, and the  
expenses relating to the clerical employees shall be borne by the Committee. The Committee,  
while in the discharge of its official duties, may exercise all the powers provided under the  
provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power to  
request all officers, agents, agencies, and departments of the State to provide any information,  
data, or documents within their possession, ascertainable from their records, or otherwise



1 available to them and the power to subpoena witnesses. The appointing authority shall fill  
2 vacancies.

3           **SECTION 5.** The Committee may report its findings and recommendations to the  
4 General Assembly in an interim report by April 1, 2020, and shall make a final report by  
5 December 1, 2020, and shall terminate upon the earlier of December 1, 2020, or the filing of its  
6 final report.

7           **SECTION 6.** This act is effective when it becomes law.