

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 240

Short Title: DWI/Alcohol Treatment Completed.

(Public)

Sponsors: Senators Simpson; and Carpenter.

Referred to: Judiciary I.

February 22, 1989

A BILL TO BE ENTITLED

AN ACT TO REQUIRE COMPLETION OF ALCOHOL ABUSE TREATMENT TO RECEIVE CREDIT AGAINST AN ACTIVE SENTENCE IMPOSED FOR A CONVICTION FOR IMPAIRED DRIVING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-179(k1) reads as rewritten:

"(k1) Credit for Inpatient Treatment. Pursuant to G.S. 15A-1351(a), the judge may order that a term of imprisonment imposed as a condition of special probation under any level of punishment be served as an inpatient in a facility operated or licensed by the State for the treatment of alcoholism or substance abuse where the defendant has been accepted for admission or commitment as an inpatient. The defendant shall bear the expense of any treatment. The judge may impose restrictions on the defendant's ability to leave the premises of the treatment facility and require that the defendant follow the rules of the treatment facility. The judge may credit against the active sentence imposed on a defendant the time the defendant was an inpatient at the treatment facility, provided such treatment occurred after the commission of the offense for which the defendant is being sentenced. ~~sentenced and was completed.~~ The credit may not be used more than once during the seven-year period immediately preceding the date of the offense. This section shall not be construed to limit the authority of the judge in sentencing under any other provisions of law."

Sec. 2. This act shall become effective October 1, 1989, and shall apply to convictions occurring on or after that date.