

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**SENATE DRS65161-LL-107 (3/7)**

Short Title: Drug Treatment Ct/DART Referral.

(Public)

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Sponsors: Senator Boseman.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT DEFENDANTS ENROLLED IN A DRUG  
TREATMENT COURT PROGRAM SHALL BE REFERRED TO RESIDENTIAL  
TREATMENT IN THE DART PROGRAM WITHOUT UNDERGOING A  
SECOND ASSESSMENT.

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~~Except as otherwise provided in this subsection, a defendant ordered to submit to a period of residential treatment in the Drug Alcohol Recovery Treatment program (DART) 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. A defendant enrolled in a drug treatment court program who receives an assessment through that program is exempt from the provisions of this subsection, and if referred to residential treatment in the DART program, shall not undergo the additional screening and assessment required by this subsection."

**SECTION 2.** This act is effective when it becomes law.