

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1089
Second Edition Engrossed 5/13/09

Short Title: Low-Risk Probationers May Be Unsupervised. (Public)

Sponsors: Senators Snow; Kinnaird and Atwater.

Referred to: Judiciary II.

March 31, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE PROBATION OFFICERS TO TRANSFER LOW-RISK
3 MISDEMEANANTS WITH NO SPECIAL CONDITIONS TO UNSUPERVISED
4 PROBATION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 15A-1343(g) reads as rewritten:

7 "(g) Probation Officer May Determine Payment ~~Schedules~~ Schedules and May Transfer
8 Low-Risk Misdemeanants to Unsupervised Probation. – If a person placed on supervised
9 probation is required as a condition of that probation to pay any moneys to the clerk of superior
10 court, the court may delegate to a probation officer the responsibility to determine the payment
11 schedule. The court may also authorize the probation officer to transfer the person to
12 unsupervised probation after all the moneys are paid to the clerk. If the probation officer
13 transfers a person to unsupervised probation, he must notify the clerk of that action. In addition,
14 a probation officer may transfer a misdemeanor from supervised to unsupervised probation if
15 the misdemeanor is not subject to any special conditions and was placed on probation solely
16 for the collection of court-ordered payments, and the risk assessment shows the misdemeanor
17 to be a low-risk offender; however, such a transfer to unsupervised probation does not relieve
18 the misdemeanor of the obligation to continue making court-ordered payments under the terms
19 of the misdemeanor's probation."

20 **SECTION 2.** This act becomes effective July 1, 2009.

