

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

SENATE BILL 1089
RATIFIED BILL

AN ACT TO AUTHORIZE PROBATION OFFICERS TO TRANSFER LOW-RISK MISDEMEANANTS WITH NO SPECIAL CONDITIONS TO UNSUPERVISED PROBATION.

The General Assembly of North Carolina enacts:

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

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

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

In the General Assembly read three times and ratified this the 7th day of July, 2009.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 10:43 a.m. this 10th day of July, 2009

