

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

SESSION LAW 2013-196
SENATE BILL 494

AN ACT TO AUTHORIZE COMMUNITY SERVICE AS A DISCRETIONARY
CONDITION OF POST-RELEASE SUPERVISION AND TO AMEND THE
REQUIREMENTS FOR VOTING BY THE POST-RELEASE SUPERVISION AND
PAROLE COMMISSION ON MATTERS COMING BEFORE THE COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-1368.4 reads as rewritten:

"§ 15A-1368.4. Conditions of post-release supervision.

...
(c) Discretionary Conditions. — The Commission, in consultation with the Section of Community Corrections of the Division of Adult Correction, may impose conditions on a supervisee it believes reasonably necessary to ensure that the supervisee will lead a law-abiding life or to assist the supervisee to do so. The Commission may also impose a condition of community service on a supervisee who was a Class F through I felon and who has failed to fully satisfy any order for restitution, reparation, or costs imposed against the supervisee as part of the supervisee's sentence; however, the Commission shall not impose such a condition of community service if the Commission determines, upon inquiry, that the supervisee has the financial resources to satisfy the order.

...
(e1) ~~Prohibited Conditions. — The Commission shall not impose community service as a condition of post-release supervision.~~

...."

SECTION 2. G.S. 143B-721(d) reads as rewritten:

"(d) The granting, denying, revoking, or rescinding of parole, the authorization of work-release privileges to a prisoner, or any other matters of business coming before the Commission for consideration and action shall be decided by majority vote of the full ~~Commission~~.Commission, except that a three-member panel of the Commission may set the terms and conditions for a post-release supervisee under G.S. 15A-1368.4 and may decide questions of violations thereunder, including the issuance of warrants. In the event of a tie in a vote by the full Commission, the chair shall break the tie with an additional vote."



SECTION 3. Section 2 of this act is effective when it becomes law and applies to actions taken by the Post-Release Supervision and Parole Commission on or after that date. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 18th day of June, 2013.

s/ Tom Apodaca
Presiding Officer of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 4:35 p.m. this 26th day of June, 2013