

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1228

Short Title: Restoration of Rights.

(Public)

Sponsors: Representatives Adams; Blue, Fitch, Hardaway, Hunter, McAllister, and Womble.

Referred to: Judiciary II.

April 15, 1999

A BILL TO BE ENTITLED

1 AN ACT TO RESTORE THE RIGHTS OF CITIZENSHIP OF A CONVICTED
2 PERSON IF THAT PERSON IS RELEASED FROM INCARCERATION OR IS
3 GIVEN A SENTENCE WITHOUT INCARCERATION.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 13-1 reads as rewritten:

7 "**§ 13-1. Restoration of citizenship.**

8 Any person convicted of a crime, whereby the rights of citizenship are forfeited, shall
9 have such rights automatically restored upon the occurrence of any one of the following
10 conditions:

- 11 (1) The ~~unconditional~~ discharge of an inmate by the State Department of
12 Correction or the North Carolina Department of ~~Correction~~, of a
13 ~~probationer by the State Department of Correction, or of a parolee by~~
14 ~~the Department of Correction; or of a defendant under a suspended~~
15 ~~sentence by the court.~~ Correction.
- 16 (2) ~~The unconditional pardon of the offender.~~
- 17 (3) ~~The satisfaction by the offender of all conditions of a conditional~~
18 ~~pardon.~~

- 1 (4) With regard to any person convicted of a crime against the United
2 States, the ~~unconditional discharge from incarceration~~ of such person by
3 the agency of the United States having jurisdiction of such ~~person, the~~
4 ~~unconditional pardon of such person or the satisfaction by such person of a~~
5 ~~conditional pardon.~~ person.
- 6 (5) With regard to any person convicted of a crime in another state, the
7 ~~unconditional discharge of such person from incarceration~~ by the agency
8 of that state having jurisdiction of such ~~person, the unconditional pardon of~~
9 ~~such person or the satisfaction by such person of a conditional pardon.~~
10 ~~person.~~
- 11 (6) The imposition by a court of a sentence other than jail or imprisonment,
12 provided that:
- 13 a. Citizenship shall be forfeited if jail or imprisonment is imposed
14 because of a failure of the offender to meet conditions of the
15 nonincarcerating sentence; and
- 16 b. If the sentence included a mixture of incarceration and other
17 forms of punishment, the offender's citizenship shall not be
18 restored until the offender has been released from incarceration."
- 19 Section 2. This act becomes effective January 1, 2000.