

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**HOUSE BILL 352
RATIFIED BILL**

AN ACT TO AMEND THE LAW REGARDING DRUG SCREENING AND ASSESSMENT OF A CRIMINAL DEFENDANT FOR CHEMICAL DEPENDENCY, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-1343 is amended by adding a new subsection to read:

"(b3) Screening and assessing for chemical dependency. – 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."

SECTION 2. G.S. 15A-1351(h) is repealed.

SECTION 3. G.S. 143B-262.1(h) reads as rewritten:

"(h) Admission priorities shall be established as follows:

- ~~(1) Court recommendation.~~
- (2) Evaluation and referral from reception and diagnostic centers.
- (3) General staff referral.
- (4) Self-referral.

(i) The Program shall include extensive follow-up after the period of intensive treatment. There will be specific plans for each departing inmate for follow-up, including active involvement with Alcoholics Anonymous, community resources, and personal sponsorship."

SECTION 4. This act becomes effective December 1, 2003, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 29th day of May, 2003.

Beverly E. Perdue
President of the Senate

Richard T. Morgan
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____m. this _____ day of _____, 2003