

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 210

Short Title: Inmates Pay for Misconduct.

(Public)

Sponsors: Senators Warren; Albertson, Ballantine, Blust, Cochrane, Conder, Dalton, East, Forrester, Foxx, Garwood, Horton, Hoyle, Jenkins, Kincaid, Lucas, Martin of Pitt, McDaniel, Phillips, Soles, and Weinstein.

Referred to: State Government, Local Government, and Personnel.

February 20, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE DEPARTMENT OF CORRECTION MAY
3 DEDUCT FUNDS FROM AN INMATE'S ACCOUNT TO REPAY COSTS
4 RESULTING FROM INMATE MISCONDUCT.

5 The General Assembly of North Carolina enacts:

6 Section 1. Chapter 148 of the General Statutes is amended by adding a new
7 section to read:

8 "**§ 148-18.2. Deductions from inmate trust fund accounts.**

9 (a) The Department may make reasonable deductions from funds credited to an
10 inmate's trust fund account in order to repay the costs of:

11 (1) Replacing public property willfully damaged or destroyed by the inmate
12 during the inmate's incarceration;

13 (2) Providing medical treatment for injuries inflicted by the inmate upon the
14 inmate or others;

15 (3) Searching for and apprehending the inmate when the inmate escapes or
16 attempts to escape, or searching for and apprehending another inmate
17 whom the inmate assisted in escaping or attempting to escape; or

1 (4) Suppressing a riot or other disturbance in which the inmate was an
2 active participant.

3 (b) Deductions may be made pursuant to this subsection only when the balance in
4 the inmate's account exceeds the amount determined by the Department to establish the
5 inmate as indigent, and the Department may not deduct an amount that would result in an
6 account balance of less than that amount. However, the Department may impose a
7 deduction authorized by subsection (a) of this section by placing a lien on the inmate's
8 trust fund account and by deducting amounts from the account whenever the amount in
9 the account exceeds the indigency level."

10 Section 2. This act is effective when it becomes law and applies to inmate
11 conduct on or after that date.