

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 397
Judiciary II Committee Substitute Adopted 3/27/01
House Committee Substitute Favorable 5/22/01

Short Title: GED and Other Credit for Inmates.

(Public)

Sponsors:

Referred to:

March 12, 2001

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE CREDIT TO MISDEMEANANTS IN LOCAL
CONFINEMENT FACILITIES FOR ATTENDING GED CLASSES AND OTHER
PROGRAMS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 4 of Chapter 162 of the General Statutes is amended by
adding the following new section:

**"§ 162-59.1. Person having custody to approve prisoners for participation in
education and other programs.**

The person having custody of a prisoner convicted of a misdemeanor offense may
approve that prisoner's participation in a general education development diploma
program (GED program) or in any other education, rehabilitation, or training program.
The person having custody of the prisoner may revoke this approval at any time. For
purposes of this section, the person having custody of the prisoner is the sheriff, except
that when the prisoner is confined in a district confinement facility the person having
custody of the prisoner is the jail administrator."

SECTION 2. G.S. 162-60 reads as rewritten:

**"§ 162-60. Reduction in sentence allowed for ~~work,~~ work, education, and other
programs.**

(a) A prisoner who has faithfully performed the duties assigned to ~~him~~ pursuant
to the prisoner under G.S. 162-58 is entitled to a reduction in ~~his~~ the prisoner's sentence
of four days for each 30 days of work performed.

(b) A prisoner who is convicted of a misdemeanor offense and housed in a local
confinement facility and who faithfully participates in a general education development
diploma program (GED program) or in any other education, rehabilitation, or training
program is entitled to a reduction in the prisoner's sentence of four days for each 30
days of classes attended, up to the maximum credit allowed under G.S. 15A-1340.20(d).

1 (c) The person having custody of the prisoner, as defined in G.S. 162-59, ~~shall be~~
2 is the sole judge as to whether the prisoner has faithfully performed ~~his duties.~~ the
3 assigned duties under G.S. 162-58 or has faithfully participated in a GED program or
4 other education, rehabilitation, or training program under subsection (b) of this section.
5 A prisoner who escapes or attempts to escape while performing work pursuant to G.S.
6 162-58 or while participating in a GED program or other education, rehabilitation, or
7 training program shall forfeit any reduction in sentence that ~~he~~ the prisoner would have
8 been entitled to under this section."

9 **SECTION 3.** This act is effective when it becomes law.