

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

SESSION LAW 2001-200
SENATE BILL 397

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).

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

SECTION 3. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 6th day of June,
2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:45 a.m. this 14th day of June, 2001