

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 18*

Short Title: Satellite Jail Fund.

(Public)

Sponsors: Representatives Barnes; Beall, Kerr, Craven, Edwards, and S. Thompson.

Referred to: Judiciary.

January 13, 1989

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR SATELLITE JAIL/WORK RELEASE UNITS FOR MISDEMEANANTS AND TO RELIEVE PRISON OVERCROWDING.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Office of State Budget and Management the sum of ten million dollars (\$10,000,000) for the 1989-90 fiscal year for the County Satellite Jail/Work Release Units Fund created in Part 3 of Article 10 of Chapter 153A of the General Statutes. The Office of State Budget and Management may use no more than one percent (1%) of the funds appropriated in this act for costs of administering the Fund. These funds shall not revert at the end of the fiscal year for which they are appropriated but shall remain available until expended for the County Satellite Jail/Work Release Units Fund.

Sec. 2. G. S. 153A-230.2 reads as rewritten:

"§ 153A-230.2. Creation of Satellite Jail/Work Release Unit Fund.

(a) There is created in the Office of State Budget and Management the County Satellite Jail/Work Release Unit Fund to provide State grant funds for counties or groups of counties for construction of satellite jail/work release units for certain misdemeanants who receive active sentences. A county or group of counties may apply to the Office for a grant under this section. The application shall be in a form established by the Office. The Office shall:

- (1) Develop application and grant criteria based on the basic requirements listed in this Part,

- 1 (2) Provide all Boards of County Commissioners and Sheriffs with the
- 2 criteria and appropriate application forms, technical assistance, if
- 3 requested, and a proposed written agreement,
- 4 (3) Review all applications,
- 5 (4) Select grantees and award grants,
- 6 (5) Award no more than ~~one million five hundred thousand dollars~~
- 7 ~~(\$1,500,000)~~ seven hundred fifty thousand dollars (\$750,000) for any
- 8 one county or group of counties except that if a group of counties
- 9 agrees to jointly operate one unit for males and one unit for females,
- 10 the maximum amount may be awarded for each unit,
- 11 (6) Take into consideration the potential number of misdemeanants and
- 12 the percentage of the county's or counties' misdemeanor population to
- 13 be diverted from the State prison system,
- 14 (7) Take into consideration the utilization of existing buildings suitable for
- 15 renovation where appropriate,
- 16 (8) Take into consideration the timeliness with which a county proposes to
- 17 complete and occupy the unit,
- 18 (9) Take into consideration the appropriateness and cost effectiveness of
- 19 the proposal,
- 20 (10) Take into consideration the plan with which the county intends to
- 21 coordinate the unit with other community service programs such as
- 22 intensive probation, community penalties, and community service.

23 When considering the items listed in subdivisions (6) through (10), the Office shall
24 determine the appropriate weight to be given each item.

25 (b) A county or group of counties is eligible for a grant under this section if it
26 agrees to abide by the basic requirements for satellite jail/work release units established
27 in G.S. 153A-230.3. In order to receive a grant under this section, there must be a
28 written agreement to abide by the basic requirements for satellite jail/work release units
29 set forth in G.S. 153A-230.3. The written agreement shall be signed by the Chairman of
30 the Board of County Commissioners, with approval of the Board of County
31 Commissioners, and a representative of the Office of State Budget and Management. If
32 a group of counties applies for the grant, then the agreement must be signed by the
33 Chairman of the Board of County Commissioners of each county. Any variation from,
34 including termination of, the original signed agreement must be approved by both the
35 Office of State Budget and Management and by a vote of the Board of County
36 Commissioners of the county or counties.

37 When the county or group of counties receives a grant under this section, the county
38 or group of counties accepts ownership of the satellite jail/work release unit and full
39 financial responsibility for maintaining and operating the unit, and for the upkeep of its
40 occupants."

41 Sec. 3. This act shall become effective July 1, 1989.