

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**HOUSE BILL 49**

Short Title: Minority Incarceration Study Commission. (Public)

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Sponsors: Representatives Miller; Adams, B. Allen, Coleman, Faison,  
Farmer-Butterfield, Harrison, Jones, Ross, and Wray.

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Referred to: Ways and Means, if favorable, Rules, Calendar, & Operations of the  
House.

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February 3, 2005

A BILL TO BE ENTITLED

1 AN ACT ESTABLISHING THE CAUSES AND REMEDIES OF MINORITY  
2 INCARCERATION STUDY COMMISSION AND APPROPRIATING FUNDS  
3 FOR THE COMMISSION.  
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** There is created the Causes and Remedies of Minority  
7 Incarceration Study Commission ("Commission"). The Commission shall consist of 15  
8 members appointed as follows:

- 9 (1) Five members appointed by the Governor.
- 10 (2) Five members of the House of Representatives appointed by the  
11 Speaker of the House.
- 12 (3) Five members of the Senate appointed by the President Pro Tempore  
13 of the Senate.

14 **SECTION 1.(b)** The Commission shall study the causes of and remedies for  
15 the disparity of incarceration for African-Americans and Hispanics in this State as  
16 compared to members of other ethnic groups.

17 **SECTION 2.(a)** The Speaker of the House of Representatives and the  
18 President Pro Tempore of the Senate shall each appoint a cochair for the Commission.  
19 The Commission may contract for consultant services as provided by G.S. 120-32.02.  
20 Upon approval of the Legislative Services Commission, the Legislative Services Officer  
21 shall assign professional and clerical staff to assist in the work of the Commission.  
22 Clerical staff shall be furnished to the Commission through the offices of the House of  
23 Representatives and Senate Supervisors of Clerks. The Commission may meet in the  
24 Legislative Building or the Legislative Office Building upon the approval of the  
25 Legislative Services Commission. The Commission, while in discharge of official  
26 duties, may exercise all the powers provided under the provisions of G.S. 120-19  
27 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and

1 departments of the State to provide any information, data, or documents within their  
2 possession, ascertainable from their records, or otherwise available to them, and the  
3 power to subpoena witnesses. Members of the Commission shall receive per diem,  
4 subsistence, and travel allowances at the rate established in G.S. 120-3.1. The  
5 appointing authority shall fill vacancies.

6 **SECTION 2.(b)** The Commission shall submit a final report to the 2006  
7 Regular Session of the 2005 General Assembly and shall terminate upon filing its final  
8 report.

9 **SECTION 3.** There is appropriated from the General Fund to the General  
10 Assembly the sum of twenty-five thousand dollars (\$25,000) for the 2005-2006 fiscal  
11 year for the costs of the work of the Study Commission, created in Section 1 of this act.

12 **SECTION 4.** This act becomes effective July 1, 2005.