

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS35277-LH-154A (3/9)

Short Title: Study Prison Overcrowding/Nonviolent Felonies. (Public)

Sponsors: Senator Rand.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE JOINT LEGISLATIVE COMMITTEE ON PRISON
3 OVERCROWDING, INCARCERATION OF NONVIOLENT FELONS, AND
4 MODIFIED SENTENCES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** There is created the Joint Legislative Study Committee on Prison
7 Overcrowding, Incarceration of Nonviolent Felons, and Modified Sentences. The Committee
8 shall consist of 12 members. The President Pro Tempore of the Senate shall appoint six
9 members and the Speaker of the House of Representatives shall appoint six members.

10 The President Pro Tempore of the Senate shall appoint a cochair, and the Speaker of
11 the House of Representatives shall appoint a cochair for the Committee. The Committee may
12 meet at any time upon the joint call of the cochairs. Vacancies on the Committee shall be filled
13 by the same appointing authority as made the initial appointment.

14 The Committee, while in the discharge of its official duties, may exercise all powers
15 provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Committee may
16 contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

17 Subject to the approval of the Legislative Services Commission, the Committee may
18 meet in the Legislative Building or the Legislative Office Building. The Legislative Services
19 Commission, through the Legislative Services Officer, shall assign professional staff to assist
20 the Committee in its work. The House of Representatives' and the Senate's Director of
21 Legislative Assistants shall assign clerical staff to the Committee, and the expenses relating to
22 the clerical employees shall be borne by the Committee. Members of the Committee shall
23 receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as
24 appropriate.

25 **SECTION 2.** The Committee shall study the issues related to prison overcrowding,
26 the State's policies and laws regarding incarceration of nonviolent felons, and the feasibility of
27 modifying sentences for nonviolent offenses. The Committee may consider and evaluate
28 policies and strategies to address these issues more effectively and to make the best use of the
29 State's correctional facilities and resources while continuing to guard the public's safety.

30 **SECTION 3.** The Committee may make an interim report, including any
31 legislative recommendations, to the 2009 General Assembly, 2010 Regular Session, and shall
32 submit a final report, including any legislative recommendations, to the 2011 General
33 Assembly. The Committee shall terminate upon filing its final report or upon the convening of
34 the 2011 General Assembly, whichever is earlier.



- 1 **SECTION 4.** From the funds available to the General Assembly, the Legislative
- 2 Services Commission may allocate monies to fund the work of the Committee.
- 3 **SECTION 5.** This act becomes effective July 1, 2009.