

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE BILL 972

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

Sponsors: Senator Rand.

Referred to: Judiciary I.

March 26, 2009

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE JOINT LEGISLATIVE COMMITTEE ON PRISON
OVERCROWDING, INCARCERATION OF NONVIOLENT FELONS, AND
MODIFIED SENTENCES.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

SECTION 4. From the funds available to the General Assembly, the Legislative Services Commission may allocate monies to fund the work of the Committee.

SECTION 5. This act becomes effective July 1, 2009.

