

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

S

D

SENATE DRS75238-LL-106 (3/7)

Short Title: Definite Release Dates for Inmates.

(Public)

Sponsors: Senator Bingham.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DEPARTMENT OF CORRECTION TO ESTABLISH A
DEFINITE RELEASE DATE FOR EACH INMATE IN ITS CUSTODY AT
LEAST THIRTY DAYS PRIOR TO THE INMATE'S RELEASE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 2 of Chapter 148 of the General Statutes is amended by adding a new section to read:

"§ 148-13.1. Definite release dates.

In order for victims and the public to have sufficient advance notice of an inmate's release from custody, the Department shall establish a definite release date for each inmate at least 30 days in advance of that release date and publish that date on its public access information system along with the other information provided for that inmate. The Department shall take all measures necessary to establish the definite release date for each inmate, including the denial of earned time and other credits near the end of inmates' sentences if allowance of those credits would cause a deviation in the inmates' release dates.

For purposes of this section, "definite release date" means the exact date upon which the inmate will be released from custody, unaffected by any contingencies."

SECTION 2. G.S. 148-13(a1) reads as rewritten:

"(a1) The Secretary of Correction shall adopt rules to specify the rates at, and circumstances under, which earned time authorized by G.S. 15A-1340.13(d) and G.S. 15A-1340.20(d) may be earned or forfeited by persons serving activated sentences of imprisonment for felony or misdemeanor convictions. The rules may provide for a time after which earned time may no longer be earned so that the Department can establish the definite release date for that person required by G.S. 148-13.1."

SECTION 3. This act is effective when it becomes law.