



HOUSE BILL 370: Interstate Compact Bill.

**This Bill Analysis
reflects the
contents of the bill
as it was presented
in committee.**

2017-2018 General Assembly

Committee: House Judiciary III	Date: April 5, 2017
Introduced by: Rep. Stevens	Prepared by: Kristen L. Harris
Analysis of: First Edition	Committee Co-Counsel

OVERVIEW: *House Bill 370 would amend three probation provisions to allow for administration under North Carolina's Interstate Compact for Adult Offender Supervision.*

[As introduced, this bill was identical to S345, as introduced by Sen. Randleman, which is currently in Senate Rules and Operations of the Senate.]

CURRENT LAW AND BACKGROUND: The 50 states, the District of Columbia, the U.S. Virgin Islands, and Puerto Rico form the Interstate Compact for Adult Offender Supervision (ICAOS). The ICAOS follows nearly identical guidelines on how to handle the transfer of adult offenders from one state to another. Article 4B in Chapter 148 of the General Statutes is North Carolina's Interstate Compact for Adult Offender Supervision. It was enacted in 2002.

BILL ANALYSIS:

Section 1 would provide custodial sanctions in addition to any condition under G.S. 15A-1343 [Conditions of probation] except an active term of imprisonment that the court could impose in response to a violation of probation administered under the Interstate Compact for Adult Offender Supervision.

- The custodial sanction for a felony conviction could be 90 consecutive days, limited to two periods of confinement to be served in the Division of Adult Correction of the Department of Public Safety.
- The custodial sanction for a misdemeanor conviction could be no more than six days per month during any three separate months during the period of probation to be served in a local confinement facility. The six days could only be imposed as two or three-day consecutive periods.
- The custodial sanction for a misdemeanor impaired driving conviction could be up to 90 consecutive days, limited to two periods of confinement to be served in the Misdemeanant Confinement Program.

Section 2 would allow North Carolina to recommend that the sending state "retake" but not "reincarcerate" an offender for a parole, probation, or post-release supervision violation.

Section 3 would allow the Section of Community Corrections to place additional probation requirements on offenders sentenced under structured sentencing when their probation is being administered under the Interstate Compact for Adult Offender Supervision.

Section 4 would provide the procedure for determining when an offender from another state who is transferred under the Interstate Compact may be subject to satellite-based monitoring.

EFFECTIVE DATE: This act becomes effective December 1, 2017, and applies to offenders placed on probation on or after that date.

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