



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

# SENATE BILL 251: Modernization of Drug Court Program.

2019-2020 General Assembly

<b>Committee:</b>	Senate Judiciary. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	April 3, 2019
<b>Introduced by:</b>	Sens. Britt, J. Davis, Foushee	<b>Prepared by:</b>	Amy Darden
<b>Analysis of:</b>	PCS to First Edition S251-CSBBa-3		Committee Counsel

**OVERVIEW:** *The PCS to Senate Bill 251 would change the name Drug Treatment Courts to Judicially Managed Accountability and Recovery Courts, add to the statutory purpose and goals of the Courts, allow the Advisory Committee to establish minimum standards for the Courts, clarify who may serve on the Advisory Committee, and make conforming changes.*

*The PCS would specifically:*

- *Retain the authority of the Senior Resident Superior Court Judge to choose the Judicially Managed Accountability and Recovery Court Advisory Committee and allow a superior court judge to be a member of the committee; and*
- *Establish a pilot program for Haywood, Robeson, and Wayne Counties to establish an Accountability and Recovery Court and require AOC to report the results of the pilot program to the 2012 Regular Session of the General Assembly.*

### CURRENT LAW and BILL ANALYSIS:

Currently, Article 62 of Chapter 7A is known as the "North Carolina Drug Treatment Court Act of 1995." Drug Treatment Courts were established to try and reduce the incidence of alcohol and other drug abuse or dependence crimes.

Section 1 of the PCS would:

- Rename Article 62 "Judicially Managed Accountability and Recovery Court Act of 2019" and make conforming changes.
- Add to the statutory purpose a charge to reduce offenses, delinquent acts, and child abuse and neglect where mental, behavioral, or medical health is a significant factor in the commission of the offense or act. It would also add a corresponding statutory goal.
- Allow Accountability and Recovery Courts to consist of programs approved by the AOC, have AOC administer funding related to the Accountability and Recovery Courts, and have the Advisory Committee provide minimum standards for these courts.
- Add a sheriff or sheriff's designee to the list of those who are eligible to serve on the Advisory Committee.

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- Provide that a representative of a local community college or other adjacent secondary educational institution with a school of social work may serve on the Advisory Committee.
- Enact a new statute, G.S. 7A-802, excluding from the scope of the Article drug treatment or accountability and recovery courts in existence on or after July 1, 2019, to the extent that compliance with the Article would disqualify the court from grant funding from the National Association of Drug Court Professionals.

Section 2 of the PCS would:

- Establish a pilot program in Haywood, Robeson, and Wayne counties to create a Judicially Managed Accountability and Recovery Court in each county.
- Require AOC to report the results of the pilot program to the 2021 Regular Session of the General Assembly.
- Appropriate \$150,000 for each county for the 2019-2020 and 2020-2021 fiscal years.

**EFFECTIVE DATE:** Section 2 would become effective when it becomes law. Except as otherwise provided, this act would be effective July 1, 2019.