



2023-2024 General Assembly

# HOUSE BILL 259: 2023 Appropriations Act, Sec. 19C.6: Revise Law Governing Medical Release of Inmates

**Committee:**  
**Introduced by:**  
**Analysis of:** Sec. 19C.6 of S.L. 2023-134

**Date:** December 15, 2023  
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Staff Attorney

**OVERVIEW:** *Section 19C.6 of S.L. 2023-134 revises Article 84B of Chapter 15A of the General Statutes regarding medical release of inmates as follows:*

- *Modifies the definition of a "geriatric" inmate by lowering the minimum age requirement to 55 years of age (previously 65 years of age) and revises the risk requirement from no risk to "no risk or low risk to public safety."*
- *Removes the no risk requirement from the definition of "permanently and totally disabled."*
- *Modifies the definition of "terminally ill" to require that death is likely within nine months (previously six months) and revises the risk requirement from no risk to "no risk or low risk to public safety."*
- *Modifies the eligibility criteria to change the risk requirement from no risk to "no risk or low risk to public safety."*

*This section also provides that inmates who received a previous denial of medical release can reapply or be reconsidered for medial release under these new provisions, but any denial after reapplication or reconsideration pursuant to this section is subject to the standard provisions requiring a demonstrated change in medical condition before reconsideration.*

*This section became effective October 3, 2023.*

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