



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

SENATE BILL 355: Support the Dept. of Adult Correction.

2025-2026 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Pensions and Retirement and Aging. If favorable, re-refer to Rules and Operations of the Senate	Date:	April 29, 2025
Introduced by:	Sens. Daniel, Britt, B. Newton	Prepared by:	Robert Ryan
Analysis of:	First Edition		Committee Counsel

OVERVIEW: *Senate Bill 355 would modify certain laws related to the Department of Adult Correction (DAC), including by doing the following:*

- *Provide tuition waivers for survivors of fallen probation officers who were killed as a direct result of a traumatic injury sustained in the line of duty.*
- *Modify technical requirements for electronic monitoring and satellite-based monitoring.*
- *Provide for an extension of the maximum allowable period of probation.*
- *Make certain technical changes.*

CURRENT LAW AND BILL ANALYSIS:

Section 1.1 would modify certain laws in Chapter 115B of the General Statutes (Tuition and Fee Waivers) to create a new definition for a "probation officer" and provide that survivors of probation officers who have died in the line of duty shall be allowed to attend constituent institutions of The University of North Carolina and community colleges without the payment of tuition.

Section 1.2 would modify technical requirements for electronic monitoring and satellite-based monitoring. G.S. 15A-101.1 would be modified to change the definition of electronic monitoring to no longer require that the device has a battery life of at least 48 hours.

Section 1.3 would provide for an extension of the maximum allowable period of probation. G.S. 15A-1342 and 15A-1343.2 would be modified by removing the provisions that allowed the court to extend probation to allow the defendant to complete a restitution program or to continue medical treatment. A new provision would allow the court to extend probation provided by G.S. 15A-1344, therefore the five-year probation maximum would be extended by one year. G.S. 15A-1344 would provide that a court could extend the maximum period of probation by one additional year if the probationer admits the probationer has violated their conditions of probation or is found by the court to have violated the conditions of their probation.

Section 2.1 would modify the qualification for the two experts in the field of behavior and treatment of sexual offenders who serve on the board of experts who are studying whether a defendant is a sexually violent predator. Under current law these experts are not allowed to be employed by the Division of Prisons of the Department of Adult Correction (the "Division"). The law would be modified so that these experts could not be employed full-time by the Division but are otherwise not prohibited so that they could be employed part-time.

Kara McCraw
Director



Legislative Analysis
Division
919-733-2578

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Section 2.2 would extend the sunset on provisions concerning the training and authority of security guards providing certain security at a State prison facility from June 30, 2025 to June 30, 2027.

Section 3.1 would provide that the Secretary of DAC may pay for projects for repairs and renovations with funds available to DAC if the following conditions are met:

- The total project does not cost more than \$1 million and the project is one of the type listed in statute.
- DAC reports on the project to the Fiscal Research Division on a quarterly basis.
- Any funds from a General Fund appropriation that are contractually obligated for a project shall not revert at the end of the fiscal year but shall remain available to fund the completion of the project.

Section 3.2 would allow DAC to use up to approximately \$1.6 million from certain listed projects to finance capital facility costs of HVAC projects at State facilities.

Section 4.1 would exempt health services-related temporary employees working in DAC and DHHS from the required break-in-service requirement.

Section 5.1 would modify G.S. 135-1 to make technical changes and to provide that vested probation and parole officers would maintain their eligibility for supplemental retirement when serving in a noncertified role. Specifically, the definition of a "Probation/Parole Officer" would be modified to include "a full-time paid employee of the Department of Adult Correction's Office of Staff Development and Training who is certified as a Probation/Parole Officer and works exclusively in a training role."

Sections 6.1 and 6.2 make technical changes.

EFFECTIVE DATE: Except as otherwise provided, this act would be effective when it becomes law.