

GENERAL ASSEMBLY OF NORTH CAROLINA  
1987 SESSION

CHAPTER 139  
HOUSE BILL 78

AN ACT TO ALLOW THE JUDGE IN SENTENCING FOR DRIVING WHILE  
IMPAIRED TO CREDIT THE DEFENDANT WITH TIME SERVED AS AN  
INPATIENT IN A TREATMENT FACILITY.

The General Assembly of North Carolina enacts:

**Section 1.** G.S. 20-179 is amended by adding the following new subsection to read:

"(k1) Credit for Inpatient Treatment. Pursuant to G.S. 15A-1351(a), the judge may order that a term of imprisonment imposed as a condition of special probation under any level of punishment be served as an inpatient in a facility operated or licensed by the State for the treatment of alcoholism or substance abuse where the defendant has been accepted for admission or commitment as an inpatient. The defendant shall bear the expense of any treatment. The judge may impose restrictions on the defendant's ability to leave the premises of the treatment facility and require that the defendant follow the rules of the treatment facility. The judge may credit against the active sentence imposed on a defendant the time the defendant was an inpatient at the treatment facility, provided such treatment occurred after the commission of the offense for which the defendant is being sentenced. The credit may not be used more than once during the seven-year period immediately preceding the date of the offense. This section shall not be construed to limit the authority of the judge in sentencing under any other provisions of law."

**Sec. 2.** This act is effective upon ratification, and applies to pending cases.

In the General Assembly read three times and ratified this the 5th day of May,  
1987.