

GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 1994

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SENATE BILL 79

Short Title: Parole Eligibility.

(Public)

Sponsors: Senators Winner of Mecklenburg; Winner of Buncombe, Kaplan, Ward, Daniel, Odom, Kerr, and Gulley.

Referred to: Courts.

February 11, 1994

A BILL TO BE ENTITLED

1 AN ACT TO REDUCE THE ELIGIBILITY FOR PAROLE ONCE IT IS DENIED TO
2 ONCE EVERY TWO YEARS RATHER THAN ONCE EACH YEAR.

3 The General Assembly of North Carolina enacts:

4 Section 1. G.S. 15A-1371(b)(2) reads as rewritten:

5 "(2) Within the period of 90 days prior to the expiration of the first year of
6 the sentence, if he is eligible for parole at any time. Whenever the
7 Parole Commission will be considering for parole a prisoner who, if
8 released, would have served less than half of the maximum term of his
9 sentence, the Commission must notify the prisoner and the district
10 attorney of the district where the prisoner was convicted at least 30
11 days in advance of considering the parole. If the district attorney
12 makes a written request in such cases, the Commission must publicly
13 conduct its consideration of parole. Following its consideration, the
14 Commission must give the prisoner written notice of its decision. If
15 parole is denied, the Commission must consider its decision while the
16 prisoner is eligible for parole at least once a year every two years until
17 parole is granted and must give the prisoner written notice of its
18 decision at least ~~once a year; once every two years;~~ or".

19 Sec. 2. Section 1 of this act is effective upon ratification but shall not affect
20 any consideration of parole where on the date of ratification of this act a year has
21 expired since the last denial. The language added by Section 1 of this act expires upon
22 the effective date of Section 22 of Chapter 538 of the 1993 Session Laws, but remains
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1 effective for offenses committed prior to the effective date of Section 22 of Chapter 538
2 of the 1993 Session Laws as provided by Section 56 of that act. This section is effective
3 upon ratification.