

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 156

Short Title: Modify Active Sentence.

(Public)

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Sponsors: Representatives Michaux, Barnes, and Redwine.

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Referred to: Judiciary II.

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February 9, 1995

A BILL TO BE ENTITLED

1 AN ACT TO MODIFY MISDEMEANOR STRUCTURED SENTENCING STATUTES  
2 TO PERMIT AN ACTIVE SENTENCE EQUAL TO OR LESS THAN TIME  
3 SERVED.  
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 15A-1340.20 is amended by adding a new subsection to read:

7 "(c1) Active Punishment Exception. – The court may impose an active punishment  
8 for a class of offense and prior conviction level that does not otherwise authorize the  
9 imposition of an active punishment if the term of imprisonment is equal to or less than  
10 the total amount of time the offender has already spent committed to or in confinement in  
11 any State or local correctional, mental, or other institution as a result of the charge that  
12 culminated in the sentence."

13 Sec. 2. This act becomes effective December 1, 1995.