

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 1228

Short Title: Community Penalties/Record Checks.

(Public)

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Sponsors: Senators Gulley, Ballantine, Rand; and Cooper.

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Referred to: Judiciary II/Election Laws.

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May 21, 1996

A BILL TO BE ENTITLED

AN ACT TO ALLOW COMMUNITY PENALTIES PROGRAMS TO OBTAIN  
CRIMINAL RECORD CHECKS OF TARGETED OFFENDERS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 7A of the General Statutes is amended by adding the following new section to read:

**"§ 7A-778. Criminal record checks of targeted offenders.**

(a) The Department of Justice may provide to the director of a local community penalties program established pursuant to G.S. 7A-772(b) a criminal record check of a targeted offender. The community penalties program may use the information in preparing a community penalties plan for the offender and may present the information to the court for sentencing purposes, but the information itself shall not be made a part of any public court record.

(b) The Department of Justice shall charge a reasonable fee for conducting a criminal record check under this section. The fee shall not exceed the actual cost of locating, editing, researching, and retrieving the information. The fee shall be paid by the offender as a condition of probation if the offender's community penalties plan is approved by the court."

Sec. 2. This act becomes effective December 1, 1996.