

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 184

Short Title: Relabel Misdemeanor Levels.

(Public)

Sponsors: Senators Parnell, Hartsell; and Carpenter.

Referred to: Judiciary II/Election Laws.

February 14, 1995

A BILL TO BE ENTITLED

AN ACT TO RELABEL MISDEMEANOR PRIOR CONVICTION LEVELS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.21(b) reads as rewritten:

"(b) Prior Conviction Levels for Misdemeanor Sentencing. – The prior conviction levels for misdemeanor sentencing are:

(1) Level ~~IA~~ – 0 prior convictions.

(2) Level ~~HB~~ – At least 1, but not more than 4 prior convictions.

(3) Level ~~HC~~ – At least 5 prior convictions."

Sec. 2. G.S. 15A-1340.23(c) reads as rewritten:

"(c) Punishment for Each Class of Offense and Prior Conviction Level; Punishment Chart Described. – Unless otherwise provided for a specific offense, the authorized punishment for each class of offense and prior conviction level is as specified in the chart below. Prior conviction levels are indicated by the ~~Roman numerals~~ letters placed horizontally on the top of the chart. Classes of offenses are indicated by the Arabic numbers placed vertically on the left side of the chart. Each grid on the chart contains the following components:

(1) A sentence disposition or dispositions: 'C' indicates that a community punishment is authorized; 'I' indicates that an intermediate punishment

1 is authorized; and 'A' indicates that an active punishment is authorized;  
 2 and  
 3 (2) A range of durations for the sentence of imprisonment: any sentence  
 4 within the duration specified is permitted.  
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**PRIOR CONVICTION LEVELS**

MISDEMEANOR

8 OFFENSE	LEVEL <del>I</del> A	LEVEL <del>II</del> B	LEVEL <del>III</del> C
9 CLASS	No Prior	One to Four Prior	Five or More
	Convictions	Convictions	Prior Convictions
11 1	1-45 days C	1-45 days C/I/A	1-120 days C/I/A
12 2	1-30 days C	1-45 days C/I	1-60 days C/I/A
13 3	1-10 days C	1-15 days C/I	1-20 days C/I/A."
14	Sec. 3. This act becomes effective December 1, 1995.		