

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1252

Short Title: Inmates Pay for Incarceration.

(Public)

Sponsors: Representative Wood.

Referred to: Judiciary III.

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT PRISONERS INCARCERATED IN THE STATE PRISON SYSTEM SHALL BE REQUIRED TO REIMBURSE THE STATE FOR THE COST OF THEIR INCARCERATION.

The General Assembly of North Carolina enacts:

Section 1. Article 1 of Chapter 148 of the General Statutes is amended by adding a new section to read:

"§ 148-2.1. Reimbursement by prisoners.

(a) Adult prisoners in the custody of the Department of Correction are required to reimburse the State for the cost of their incarceration. For purposes of this Article, any inmate age 18 or older shall be considered an adult prisoner. This reimbursement shall be collected by the Department of Correction and shall be in the amount of ten dollars (\$10.00) per day. Prisoners who are required to reimburse the State under this section and who are granted work-release privileges may be required to make this reimbursement in addition to the amounts deducted from their work-release earnings under G.S. 148-33.1(f). The Secretary of Correction, in regulations adopted pursuant to G.S. 148-11, may exempt a portion of prisoners' trust funds from the reimbursement obligation established by this section.

(b) If a prisoner has not made the reimbursement required by subsection (a) of this section at the time of the prisoner's release, the Department of Correction shall calculate

1 the amount of reimbursement that is outstanding and give a verified statement of that
2 amount to the prisoner, and any reimbursement that remains unpaid on that date shall be a
3 'debt' within the meaning of G.S. 105A-2(3), and may be set off against any North
4 Carolina income tax refund due the prisoner, as provided in Chapter 105A of the General
5 Statutes. The Department of Revenue shall pursue collection of the debt through setoff
6 for at least 10 years from the time of the prisoner's release or termination, or until the
7 debt is satisfied."

8 Section 2. This act becomes effective October 1, 1999, and applies to
9 incarceration for criminal offenses committed on or after that date.