

March 10, 2003

H 379. EDUCATIONAL CONDITIONS TO PUNISHMENT. *TO MAKE THE PURSUIT OF AN EDUCATION A CONDITION OF INTERMEDIATE PUNISHMENT, COMMUNITY PUNISHMENT, AND PROBATION.* As title indicates. Adds new GS 15A-1340.17(f) (intermediate punishment) and GS 15A-1340.23(d) (community punishment), and amends GS 15A-1343(b) (probation) to require any defendant under the age of 18 at the time of sentencing who has not obtained a high school diploma or general education development (GED) diploma to enroll in an adult high school program or GED program and maintain the enrollment during the course of punishment. Allows judge to waive the requirement if it would cause undue hardship to the defendant. Requires defendant in such a program to maintain the enrollment until the end of the punishment or the successful completion of the program, whichever comes first. Effective Oct. 1, 2003, and applies to offenses committed on or after that date.

Intro. by Bell.

Ref. to Judiciary I	GS 15A
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March 26, 2003

H 379. EDUCATIONAL CONDITIONS TO PUNISHMENT. Intro. 3/10/03. House committee substitute makes the following changes to 1st edition. Provides that if a defendant who is subject to the new requirements regarding pursuit of education as condition of intermediate punishment, community punishment, and probation is not eligible, due to the defendant's age, for enrollment in an adult high school program or GED program, the defendant will be required to enroll in a school or educational program that would lead to receipt of a high school diploma, unless the court finds that there is no available program for which the defendant is currently eligible, and that, if this is the case, the defendant will be required to enroll in an adult high school or GED program upon reaching the required age if the defendant is still subject to the requirements of the new sections at that time. Requires that a defendant who is under the age of 18 and is currently enrolled in an educational program that would lead to the receipt of a high school diploma or GED must maintain that enrollment until the end of the term of punishment or successful completion of the program, whichever comes first.