

March 27, 2009

S 1077. EXPAND PAROLE OFFICERS' DELEGATED AUTHORITY. Filed 3/26/09. *TO EXPAND THE AUTHORITY DELEGATED TO PROBATION OFFICERS IN ORDER TO MAKE INTERMEDIATE SANCTIONS AVAILABLE FOR AN OFFENDER SENTENCED TO COMMUNITY PUNISHMENT IF THE RISK ASSESSMENT JUSTIFIES THOSE SANCTIONS.*

Amends GS 15A-1343.2 to expand probation officer's delegated authority to include the authority to add any intermediate punishment under structured sentencing for offenders initially sentenced to community punishments. (Delegated authority is power granted by judge to probation officer that allows probation officer to modify terms of probation in the event the probationer violates one or more probation conditions.) Makes a conforming change to GS 15A-340.11(2). Effective July 1, 2009.

Intro. by Snow.

GS 15A

May 7, 2009

S 1077. EXPAND PAROLE OFFICERS' DELEGATED AUTHORITY. Filed 3/26/09. Senate committee substitute makes the following changes to 1st edition. Changes effective date from July 1, 2009, to December 1, 2009.

June 16, 2010

S 1077. POST CONVICTION RELEASE BONDS (NEW). Filed 3/26/09. House committee substitute deletes all provisions of 2nd edition and replaces it with *AN ACT TO AUTHORIZE THE USE OF BONDS TO SECURE THE APPEARANCE OF A DEFENDANT THAT IS RELEASED POST CONVICTION AND IS DETERMINED TO HAVE ABSCONDED.*

Enacts new Article 82A, *Post Conviction Release Bonds*, to GS Chapter 15A. Proposed GS 15A-1350.1 authorizes a court to order the posting of a bond to secure the defendant's appearance at a subsequent court proceeding, when that defendant is convicted of a criminal offense for which active punishment is authorized under structured sentencing but the court imposes an intermediary or community punishment. Makes the appearance bond authorized by the section (1) applicable only to the condition that the defendant not abscond during the probation period and (2) subject to forfeiture only if it is determined that the defendant violated probation by absconding. Directs a judge authorizing release of a defendant and ordering the posting of an appearance bond under the section to require that the bond is filed with the clerk of the court in which the release was authorized. Proposed GS 15A-1350.2 requires that a bail agent must be licensed as a bail bondsman or runner by the Commissioner of Insurance and must possess a valid concealed handgun permit in order to qualify as an approved agent under Article 82A. Requires the agent to present such qualifications to the clerk of court when filing an appearance bond. Proposed GS 15A-1350.3 authorizes a court to issue an order for arrest upon notice, by the defendant's probation officer, that the defendant violated probation by absconding. Allows the bail agent a minimum of 96 hours, following the order for arrest, to surrender the defendant, and provides procedures for bond forfeiture upon failure to surrender the defendant.

Makes conforming changes to GS 15A-544.2(a) and GS 15A-544.3(a) (pertaining to bail bond forfeiture).

Effective December 1, 2010, and applies to defendants convicted on or after that date.

June 28, 2010

S 1077. REMOVE E-NC SUNSET (NEW). Filed 3/26/09. House committee substitute deletes the provisions of the 3rd edition and replaces it with *AN ACT TO REPEAL THE SUNSET PROVISION PERTAINING TO THE E-NC AUTHORITY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH-SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS.* Amends Section 4 of SL 2003-425, as amended, as the title indicates.