

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 585
PROPOSED COMMITTEE SUBSTITUTE H585-PCS80337-SA-36

Short Title: PREA Compliance.

(Public)

Sponsors:

Referred to:

April 8, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT ALL CORRECTIONAL FACILITIES, JUVENILE
3 FACILITIES, AND LOCAL CONFINEMENT FACILITIES IN THIS STATE SHALL
4 COMPLY WITH THE PROVISIONS OF THE FEDERAL PRISON RAPE
5 ELIMINATION ACT (PREA).

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 2 of Chapter 148 of the General Statutes is amended by
8 adding a new section to read:

9 **"§ 148-25.1. Compliance with the federal Prison Rape Elimination Act.**

10 All correctional facilities in the State prison system shall be in compliance with the federal
11 Prison Rape Elimination Act (PREA), Public Law 108-79."

12 **SECTION 2.** Subpart C of Part 3 of Article 13 of Chapter 143B of the General
13 Statutes is amended by adding a new section to read:

14 **"§ 143B-822. Compliance with the federal Prison Rape Elimination Act.**

15 All juvenile facilities in the State shall be in compliance with the federal Prison Rape
16 Elimination Act (PREA), Public Law 108-79."

17 **SECTION 3.** G.S. 153A-216 reads as rewritten:

18 **"§ 153A-216. Legislative policy.**

19 The policy of the General Assembly with respect to local confinement facilities is:

- 20 (1) Local confinement facilities should provide secure custody of persons
21 confined therein in order to protect the community and should be operated so
22 as to protect the health and welfare of prisoners and provide for their
23 humane treatment. Local confinement facilities shall also comply with the
24 provisions of the federal Prison Rape Elimination Act (PREA), Public Law
25 108-79.
26 (2) Minimum statewide standards should be provided to guide and assist local
27 governments in planning, constructing, and maintaining confinement
28 facilities and in developing programs that provide for humane treatment of
29 prisoners and contribute to the rehabilitation of offenders.
30 (3) The State should provide services to local governments to help improve the
31 quality of administration and local confinement facilities. These services
32 should include inspection, consultation, technical assistance, and other
33 appropriate services.
34 (4) Adequate qualifications and training of the personnel of local confinement
35 facilities are essential to improving the quality of these facilities. The State
36 shall establish entry level employment standards for jailers and supervisory



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1 and administrative personnel of local confinement facilities to include
2 training as a condition of employment in a local confinement facility
3 pursuant to the provisions of Chapter 17C and Chapter 17E and the rules
4 promulgated thereunder."
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SECTION 4. This act becomes effective August 1, 2013.