

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H

D

HOUSE BILL 24
Committee Substitute Favorable 2/11/13
Third Edition Engrossed 2/13/13
PROPOSED SENATE COMMITTEE SUBSTITUTE H24-PCS30567-RK-62

Short Title: DV/Abuser Treatment Program/Amendments.

(Public)

Sponsors:

Referred to:

January 31, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE PROCEDURES FOR PERSONS ON PROBATION WHO ARE
3 DIRECTED TO PARTICIPATE IN AN ABUSER TREATMENT PROGRAM AND
4 MAKE CLARIFYING CHANGES RELATING TO DOMESTIC VIOLENCE
5 OFFENSES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 15A-1343(b) reads as rewritten:

8 "(b) Regular Conditions. – As regular conditions of probation, a defendant must:

9 ...

10 (12) Attend and complete an abuser treatment program if (i) the court finds the
11 defendant is responsible for acts of domestic violence and (ii) there is a
12 program, approved by the Domestic Violence Commission, reasonably
13 available to the defendant, unless the court finds that such would not be in
14 the best interests of justice. A defendant attending an abuser treatment
15 program shall abide by all of the rules of the program. ~~If the defendant is~~
16 ~~discharged from the program for failure to comply with the program or its~~
17 ~~rules, such noncompliance shall be reported to the court.~~

18 a. If the defendant is placed on supervised probation, the following
19 procedures apply:

20 1. The probation officer shall forward a copy of the judgment,
21 including all conditions of ~~probation~~probation, to the ~~abuser~~
22 ~~treatment program.~~program, and the abuser treatment

23 2. The program shall notify the probation officer if the
24 defendant fails to participate in the program or if the
25 defendant is discharged from the program for violating any of
26 the program rules.of any violations of program rules by the
27 defendant.

28 3. If the defendant fails to participate in the program or is
29 discharged from the program for failure to comply with the
30 program or its rules, the probation officer shall file a violation
31 report with the court and notify the district attorney of such
32 noncompliance.

33 b. If the defendant is placed on unsupervised probation, the following
34 procedures apply:



* H 2 4 - P C S 3 0 5 6 7 - R K - 6 2 *

