

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 463
Second Edition Engrossed 5/14/13
PROPOSED HOUSE COMMITTEE SUBSTITUTE S463-PCS35388-RW-76

Short Title: Jail Dormitory Minimum Standards.

(Public)

Sponsors:

Referred to:

March 28, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAW PROVIDING FOR MINIMUM STANDARDS FOR JAIL
3 DORMITORIES TO ALLOW COUNTIES WITH POPULATIONS IN EXCESS OF TWO
4 HUNDRED FIFTY THOUSAND TO HOUSE SIXTY-FOUR INMATES PER
5 DORMITORY SO LONG AS CERTAIN MINIMUM STANDARDS ARE MET, AND TO
6 MAKE IT A FELONY TO ESCAPE FROM A COUNTY FACILITY WHEN CHARGED
7 WITH AND BEING HELD FOR A FELONY.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 153A-221(d) reads as rewritten:

10 "(d) Notwithstanding any law or rule to the contrary, each dormitory in a county
11 detention facility may house up to 64 inmates as long as the dormitory provides all of the
12 following:

- 13 (1) A minimum floor space of 70 square feet per inmate, including both the
14 sleeping and dayroom areas.
15 (2) One shower per eight inmates, one toilet per eight inmates, one sink with a
16 security mirror per eight inmates, and one water fountain.
17 (3) A telephone jack or other telephone arrangement provided within the
18 dormitory.
19 (4) Space designed to allow a variety of activities.
20 (5) Sufficient seating and tables for all inmates.
21 (6) A way for officers to observe the entire area from the entrance.

22 ~~This subsection applies only to those counties that have a population in excess of 300,000,~~
23 ~~according to the most recent decennial federal census."~~

24 **SECTION 2.** G.S. 14-256 reads as rewritten:

25 "**§ 14-256. Prison breach and escape from county or municipal confinement facilities or**
26 **officers.**

27 If any person shall break any prison, jail or lockup maintained by any county or
28 municipality in North Carolina, being lawfully confined therein, or shall escape from the lawful
29 custody of any superintendent, guard or officer of such prison, jail or lockup, he shall be guilty
30 of a Class 1 misdemeanor, except that the person is guilty of a Class H felony if:

- 31 (1) He has been charged with or convicted of a felony and has been committed
32 to the facility pending trial or transfer to the State prison system; or
33 (2) He is serving a sentence imposed upon conviction of a felony."



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1 **SECTION 3.** Section 2 of this act becomes effective December 1, 2013, and
2 applies to offenses occurring on or after that date. The remainder of this act is effective when it
3 becomes law.