

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 368
Finance Committee Substitute Adopted 4/30/13
House Committee Substitute Favorable 6/19/13
House Committee Substitute #2 Favorable 7/23/13
PROPOSED HOUSE COMMITTEE SUBSTITUTE S368-PCS85276-TG-71

Short Title: County/Sheriff Fee Changes/Felony Escape.

(Public)

Sponsors:

Referred to:

March 20, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR A TEN-DOLLAR CO-PAY FOR PRESCRIPTION
3 MEDICATION DISPENSED IN A COUNTY JAIL, TO PROVIDE THE PISTOL
4 PERMIT FEE TO BE AN APPLICATION FEE, AND TO MAKE IT A FELONY TO
5 ESCAPE FROM A COUNTY FACILITY WHEN CHARGED WITH AND BEING HELD
6 FOR A FELONY.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 153A-225(a) reads as rewritten:

9 "(a) Each unit that operates a local confinement facility shall develop a plan for
10 providing medical care for prisoners in the facility. The plan

- 11 (1) Shall be designed to protect the health and welfare of the prisoners and to
12 avoid the spread of contagious disease;
13 (2) Shall provide for medical supervision of prisoners and emergency medical
14 care for prisoners to the extent necessary for their health and welfare;
15 (3) Shall provide for the detection, examination and treatment of prisoners who
16 are infected with tuberculosis or venereal diseases.

17 The unit shall develop the plan in consultation with appropriate local officials and
18 organizations, including the sheriff, the county physician, the local or district health director,
19 and the local medical society. The plan must be approved by the local or district health director
20 after consultation with the area mental health, developmental disabilities, and substance abuse
21 authority, if it is adequate to protect the health and welfare of the prisoners. Upon a
22 determination that the plan is adequate to protect the health and welfare of the prisoners, the
23 plan must be adopted by the governing body.

24 As a part of its plan, each unit may establish fees of not more than twenty dollars (\$20.00)
25 per incident for the provision of nonemergency medical care to ~~prisoners-prisoners~~ and a fee of
26 not more than ten dollars (\$10.00) for a 30-day supply or less of a prescription drug. In
27 establishing fees pursuant to this section, each unit shall establish a procedure for waiving fees
28 for indigent prisoners."

29 **SECTION 2.** G.S. 14-404(e) reads as rewritten:

30 "(e) The sheriff shall charge for the sheriff's services upon ~~issuing the license or~~
31 permit receipt of an application a fee of five dollars (\$5.00) for each permit requested."

32 **SECTION 3.** G.S. 14-256 reads as rewritten:



* S 3 6 8 - P C S 8 5 2 7 6 - T G - 7 1 *

1 "§ 14-256. Prison breach and escape from county or municipal confinement facilities or
2 officers.

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

7 (1) He has been charged with or convicted of a felony and has been committed
8 to the facility pending trial or transfer to the State prison system; or

9 (2) He is serving a sentence imposed upon conviction of a felony."

10 **SECTION 4.** Sections 1 and 2 of this act become effective August 1, 2013, and
11 apply to fees assessed or collected on or after that date. Section 3 of this act becomes effective
12 December 1, 2013, and applies to offenses occurring on or after that date. The remainder of this
13 act is effective when it becomes law.