

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 906
Apr 16, 2019
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40391-ND-56A

Short Title: Study of Cash Bail System. (Public)

Sponsors: Representatives Montgomery, Morey, and Beasley (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A LEGISLATIVE STUDY COMMITTEE TO EVALUATE THE USE
3 OF SECURED AND UNSECURED APPEARANCE BONDS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** There is established a Joint Legislative Study Committee on the use of
6 secured and unsecured appearance bonds.

7 **SECTION 2.** The Committee shall consist of 18 members: five members appointed
8 by the Speaker of the House of Representatives, four members appointed by the House of
9 Representatives Minority Leader, five members appointed by the President Pro Tempore of the
10 Senate, and four members appointed by the Senate Minority Leader. All members of the
11 Committee shall be current members of the North Carolina General Assembly. The Speaker of
12 the House of Representatives and the President Pro Tempore of the Senate shall each appoint a
13 cochair for the Committee. A quorum of the Committee is a majority of its members.

14 **SECTION 3.** The Committee shall study the current use of secured and unsecured
15 appearance bonds in North Carolina's criminal pretrial release system and shall, at a minimum,
16 examine the following issues:

- 17 (1) Whether there are alternative conditions of release or pretrial release systems
18 that are not contingent upon the payment of any monetary sum to secure a
19 defendant's release.
20 (2) Whether there are opportunities to utilize global positioning system (GPS)
21 monitoring or house arrest in place of secured or unsecured appearance bonds,
22 especially for those persons held on nonviolent charges.

23 **SECTION 4.** Members of the Committee shall receive per diem, subsistence, and
24 travel allowances in accordance with G.S. 120-3.1.

25 **SECTION 5.** Subject to the approval of the Legislative Services Commission, the
26 Committee may meet in the State Legislative Building or the Legislative Office Building. The
27 Legislative Services Commission, through the Legislative Services Officer, shall assign
28 professional staff to assist in the work of the Committee. The House of Representatives' and the
29 Senate's Directors of Legislative Assistants shall assign clerical staff to the Committee, and the
30 expenses relating to the clerical employees shall be borne by the Committee. The Committee,
31 while in the discharge of its official duties, may exercise all the powers provided under the
32 provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power to
33 request all officers, agents, agencies, and departments of the State to provide any information,
34 data, or documents within their possession, ascertainable from their records, or otherwise
35 available to them and the power to subpoena witnesses. The appointing authority shall fill
36 vacancies.



1 **SECTION 6.** The Committee may report its findings and recommendations to the
2 General Assembly in an interim report by August 1, 2019, and shall make a final report by
3 December 31, 2019, and shall terminate upon the earlier of December 31, 2019, or the filing of
4 its final report.

5 **SECTION 7.** This act is effective when it becomes law.