

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 1167
May 20, 2020
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40604-MLa-152

Short Title: Prisoner Release/Notification Required.

(Public)

Sponsors: Representative Morey.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DIVISION OF ADULT CORRECTION AND JUVENILE JUSTICE AT THE DEPARTMENT OF PUBLIC SAFETY TO PROVIDE NOTICE TO THE RELEVANT PUBLIC HEALTH DIRECTOR AND LOCAL REENTRY COUNCIL PRIOR TO RELEASING AN INCARCERATED PERSON DURING THE COVID-19 OUTBREAK.

The General Assembly of North Carolina enacts:

SECTION 1. Purpose. – The purpose of this act is to prevent community spread of COVID-19 from persons who have been in prison or congregate living conditions.

SECTION 2. Requirement. – Prior to the release of an incarcerated person from prison, the Division of Adult Correction and Juvenile Justice at the Department of Public Safety (Division) shall (i) administer COVID-19 testing to the person and (ii) provide notice of the release to the public health director of the county in which the person intends to reside and, except as otherwise provided in this section, the Local Reentry Council serving the county in which the person intends to reside. If the county in which the person intends to reside is not covered by a Local Reentry Council, the Division shall only provide notice to the public health director of the county in which the person intends to reside. The Division shall provide the notice required under this section at least five days prior to the date the person is scheduled for release. Upon receiving the notice required under this section, the county public health director or Local Reentry Council shall use best efforts to provide COVID-19 testing to the person, and medical treatment and quarantine, if necessary.

SECTION 3. Effect on Release. – Failure to provide notice of an incarcerated person's release in accordance with Section 2 of this act shall not prevent or otherwise delay the release of the incarcerated person.

SECTION 4. Appropriation. – There is appropriated from the General Fund to the Department of Public Safety the sum of twenty-five thousand dollars (\$25,000) in nonrecurring funds for the 2019-2020 fiscal year to be used to cover costs incurred from implementing the provisions of this act.

SECTION 5. Applicability. – The notice required under Section 2 of this act only applies to the release of incarcerated persons on or after the effective date of Section 2 of this act.

SECTION 6. Effective Date & Expiration. – Sections 4 and 6 of this act are effective when they become law. The remainder of this act is effective when it becomes law and expires on the date the Governor rescinds Executive Order No. 116, Declaration of a State of Emergency to Coordinate Response and Protective Actions to Prevent the Spread of COVID-19.



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