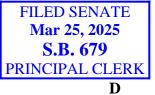
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2025



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SENATE BILL DRS35240-ND-82

	Short Title:	The Women's Care Act.	(Public)	
	Sponsors:	Senator Grafstein (Primary Sponsor).		
	Referred to:			
1		A BILL TO BE ENTITLED		
2	AN ACT TO	REQUIRE A COURT TO TEMPORARILY DEFER THE	E IMPRISONMENT OF	
3		NANT PERSON THAT IS FOUND NOT TO BE A		
4	COMMUNITY.			
5	The General Assembly of North Carolina enacts:			
6	SECTION 1. G.S. 148-25.2 reads as rewritten:			
7	"§ 148-25.2. Care for female incarcerated persons related to pregnancy, childbirth, and			
8		ostpartum recovery.	• / /	
9				
10	<u>(l)</u> <u>Se</u>	entence Deferred. – Notwithstanding any provision of law	v to the contrary, at the	
11	time of sente	encing a pregnant female person, when the court's senter	nce includes a term of	
12	imprisonmen	t and the court has determined the pregnant female person po	oses no significant threat	
13	or danger to any person, to the community, or to any property in the community, the court shall			
14	have the sentence deferred until at least 12 weeks after the delivery of the child or the end of the			
15	pregnancy, w	pregnancy, whichever occurs first.		
16	During the sentence deferment under this subsection, the pregnant female person shal			
17	<u>maintain peri</u>	natal healthcare, treatment, and assessments and shall parti	icipate in education and	
18	resource prog	grams to the extent that these programs are available in the	community or from the	
19	Department of Health and Human Services. The pregnant female person shall report to the court			
20	monthly via telephone and check in electronically through a website link providing confirmation			
21	of perinatal healthcare and personal contact information and contact information of utilized			
22	education and resource programs.			
23		t shall allow the pregnant female person to be supervised		
24		for at least a period of 12 weeks and up to a period of 12 r	-	
25		he pregnancy, whichever occurs first, before the pregna	-	
26		mselves to the Department of Adult Correction. If, upon bei		
27		ails to surrender themselves to the Department of Adult		
28	-	be prosecuted for this failure to surrender in any manner aut		
29		t shall allow the female person to serve a term of probatio	-	
30		osection without the payment of fines, fees, restitution, and		
31		ision to be conducted by phone or other electronic comm		
32		rvised probation, the pregnant female person shall mainta	-	
33		d assessments and shall participate in education and resource		
34		these programs are available in the pregnant female person's community or from the Department		
35 26		d Human Services and shall provide monthly reporting of	ner perinatal nealthcare	
36	<u>information t</u>	o the pregnant female person's probation officer.		



General Assembly Of North Carolina

1	The pregnant	female person shall report the loss of the pregnancy for any reason to the court	
2	and to the pregn	ant female person's probation officer within 72 hours of the loss. The court's	
3	jurisdiction during the period of probation shall be the same as set forth in these circumstances		
4	under Article 82 of Chapter 15A of the General Statutes. The time spent on pre-incarceration		
5	supervised probation shall be credited to the sentence or disposition imposed.		
6	(m) Begin	ning March 1, 2026, and annually thereafter, every prison and local	
7	confinement facility in the State shall report to the Department of Health and Human Services		
8	all of the follow:	ing information for that prison or local confinement facility during the prior	
9	calendar year:		
10	(1)	The total number of female persons that were incarcerated.	
11	<u>(2)</u>	The total number of pregnant female persons that were incarcerated.	
12	<u>(3)</u>	The total number of female incarcerated persons that declined pregnancy	
13		testing.	
14	<u>(4)</u>	The total number of pregnant female persons that declined a deferred sentence	
15		pursuant to subsection (1) of this section.	
16	The report rec	quired by this subsection shall comply with State and federal law regarding the	
17	privacy of patient	t identifying information, including at a minimum the requirements imposed by	
18	the federal Health	n Insurance Portability and Accountability Act (HIPAA) of 1996."	
19	SECT	TION 2. This act is effective when it becomes law and applies to sentences	
20	issued on or after that date.		