

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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SENATE BILL 1100

Short Title: Sent. Commn/Study Structured Sent.

(Public)

Sponsors: Senators Ballance, Kerr; and Dannelly.

Referred to: Rules and Operations of the Senate.

April 5, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO DIRECT THE NORTH CAROLINA SENTENCING AND POLICY
3 ADVISORY COMMISSION TO REVIEW THE STATE'S STRUCTURED
4 SENTENCING LAWS, ASSESS THE EFFECT OF THE CURRENT
5 SENTENCING STRUCTURES ON THE DEPARTMENT OF CORRECTION
6 AND LOCAL CONFINEMENT FACILITIES BOTH IN TERMS OF FISCAL
7 IMPACT AND ON INMATE POPULATION, AND MAKE
8 RECOMMENDATIONS REGARDING THE STATE'S STRUCTURED
9 SENTENCING LAWS THAT APPROPRIATELY PENALIZE FOR THE
10 NATURE AND DEGREE OF HARM LIKELY TO BE CAUSED BY AN
11 OFFENSE BUT THAT ALSO ADDRESS THE GROWING INMATE
12 POPULATIONS IN STATE AND LOCAL FACILITIES THAT WILL SOON
13 EXCEED STANDARD OPERATING CAPACITY.

14 The General Assembly of North Carolina enacts:

15 **SECTION 1.** The North Carolina Sentencing and Policy Advisory
16 Commission shall exercise its statutory responsibility under Article 4 of Chapter 164 of
17 the General Statutes to monitor and review the criminal justice and corrections system
18 as follows. The Commission is directed to study and review the State's sentencing laws
19 in order to develop options for slowing the anticipated increase in incarceration over the
20 next 10 years. Areas of review may include the classification of offenses and offenders,
21 the relationship of the sentence and the sentence length to the offense, and the sentence
22 dispositions available to judges. The options must be consistent with the purposes of
23 sentencing as stated in G.S. 15A-1340.12. The Commission's options, and any
24 recommendations, should balance the need to ensure that sentencing laws appropriately
25 penalize offenders for the nature and degree of harm caused by the offense with the
26 need to consider the potential impact on correctional resources of the growth in the
27 prison population.

1 **SECTION 2.** The North Carolina Sentencing and Policy Advisory
2 Commission shall report its findings to the 2001 General Assembly no later than the
3 convening of the 2002 Regular Session.

4 **SECTION 3.** This act is effective when it becomes law.