

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 210

State Government, Local Government, and Personnel Committee Substitute Adopted  
4/21/97

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Short Title: Inmates Pay for Misconduct.

(Public)

Sponsors:

Referred to:

February 20, 1997

A BILL TO BE ENTITLED  
AN ACT TO PROVIDE THAT THE DEPARTMENT OF CORRECTION MAY  
DEDUCT FUNDS FROM AN INMATE'S ACCOUNT TO REPAY COSTS  
RESULTING FROM INMATE MISCONDUCT.

The General Assembly of North Carolina enacts:

Section 1. Chapter 148 of the General Statutes is amended by adding a new  
section to read:

**"§ 148-18.2. Deductions from inmate trust fund accounts.**

(a) If an inmate is found guilty of a disciplinary infraction of the Department of  
Correction's rules under G.S. 148-11, the Department may make reasonable deductions  
from funds credited to an inmate's trust fund account in order to repay the costs of  
damages and injuries and other expenses resulting from that misconduct including:

(1) Replacing public property willfully damaged or destroyed by the inmate  
during the inmate's incarceration;

(2) Providing medical treatment for injuries inflicted by the inmate upon the  
inmate or others;

- 1           (3)   Searching for and apprehending the inmate when the inmate escapes or  
2                   attempts to escape, or searching for and apprehending another inmate  
3                   whom the inmate assisted in escaping or attempting to escape; or  
4           (4)   Suppressing a riot or other disturbance in which the inmate was an  
5                   active participant.

6           (b)   The Department may place a lien on the inmate's trust fund account in the  
7                   amount of the damages assessed under subsection (a) of this section. To satisfy the lien,  
8                   monthly deductions may be made by the Department from the inmate's trust fund account  
9                   in an amount not to exceed twenty percent (20%) of the average monthly balance in the  
10                  account for the preceding six months. In no event shall a deduction be made that would  
11                  result in a balance in the inmate's trust fund account below the indigent level."

12                  Section 2. This act is effective when it becomes law and applies to inmate  
13                  conduct on or after that date.