

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

SENATE BILL 397  
RATIFIED BILL

AN ACT TO AUTHORIZE CREDIT TO MISDEMEANANTS IN LOCAL  
CONFINEMENT FACILITIES FOR ATTENDING GED CLASSES AND OTHER  
PROGRAMS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 4 of Chapter 162 of the General Statutes is amended by adding the following new section:

**"§ 162-59.1. Person having custody to approve prisoners for participation in education and other programs.**

The person having custody of a prisoner convicted of a misdemeanor offense may approve that prisoner's participation in a general education development diploma program (GED program) or in any other education, rehabilitation, or training program. The person having custody of the prisoner may revoke this approval at any time. For purposes of this section, the person having custody of the prisoner is the sheriff, except that when the prisoner is confined in a district confinement facility the person having custody of the prisoner is the jail administrator."

**SECTION 2.** G.S. 162-60 reads as rewritten:

**"§ 162-60. Reduction in sentence allowed for ~~work~~, work, education, and other programs.**

(a) A prisoner who has faithfully performed the duties assigned to ~~him~~ pursuant to ~~the prisoner under~~ G.S. 162-58 is entitled to a reduction in ~~his~~ the prisoner's sentence of four days for each 30 days of work performed.

(b) A prisoner who is convicted of a misdemeanor offense and housed in a local confinement facility and who faithfully participates in a general education development diploma program (GED program) or in any other education, rehabilitation, or training program is entitled to a reduction in the prisoner's sentence of four days for each 30 days of classes attended, up to the maximum credit allowed under G.S. 15A-1340.20(d).

(c) The person having custody of the prisoner, as defined in G.S. 162-59, shall be is the sole judge as to whether the prisoner has faithfully performed ~~his~~ the assigned duties under G.S. 162-58 or has faithfully participated in a GED program or other education, rehabilitation, or training program under subsection (b) of this section. A prisoner who escapes or attempts to escape while performing work pursuant to G.S. 162-58 or while participating in a GED program or other education, rehabilitation, or training program shall forfeit any reduction in sentence that ~~he~~ the prisoner would have been entitled to under this section."

**SECTION 3.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 6<sup>th</sup> day of June,  
2001.

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Beverly E. Perdue  
President of the Senate

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James B. Black  
Speaker of the House of Representatives

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Michael F. Easley  
Governor

Approved \_\_\_\_\_ .m. this \_\_\_\_\_ day of \_\_\_\_\_, 2001