

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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HOUSE BILL 906

Short Title: Study of Cash Bail System. (Public)

Sponsors: Representatives Montgomery, Morey, and Beasley (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

April 22, 2019

A BILL TO BE ENTITLED
AN ACT TO CREATE A LEGISLATIVE STUDY COMMITTEE TO EVALUATE THE USE
OF SECURED AND UNSECURED APPEARANCE BONDS.

The General Assembly of North Carolina enacts:

SECTION 1. There is established a Joint Legislative Study Committee on the use of secured and unsecured appearance bonds.

SECTION 2. The Committee shall consist of 18 members: five members appointed by the Speaker of the House of Representatives, four members appointed by the House of Representatives Minority Leader, five members appointed by the President Pro Tempore of the Senate, and four members appointed by the Senate Minority Leader. All members of the Committee shall be current members of the North Carolina General Assembly. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each appoint a cochair for the Committee. A quorum of the Committee is a majority of its members.

SECTION 3. The Committee shall study the current use of secured and unsecured appearance bonds in North Carolina's criminal pretrial release system and shall, at a minimum, examine the following issues:

- (1) Whether there are alternative conditions of release or pretrial release systems that are not contingent upon the payment of any monetary sum to secure a defendant's release.
- (2) Whether there are opportunities to utilize global positioning system (GPS) monitoring or house arrest in place of secured or unsecured appearance bonds, especially for those persons held on nonviolent charges.

SECTION 4. Members of the Committee shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1.

SECTION 5. Subject to the approval of the Legislative Services Commission, the Committee may meet in the State Legislative Building or the Legislative Office Building. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist in the work of the Committee. The House of Representatives' and the Senate's Directors of Legislative Assistants shall assign clerical staff to the Committee, and the expenses relating to the clerical employees shall be borne by the Committee. The Committee, while in the discharge of its official duties, may exercise all the powers provided under the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise



1 available to them and the power to subpoena witnesses. The appointing authority shall fill
2 vacancies.

3 **SECTION 6.** The Committee may report its findings and recommendations to the
4 General Assembly in an interim report by August 1, 2019, and shall make a final report by
5 December 31, 2019, and shall terminate upon the earlier of December 31, 2019, or the filing of
6 its final report.

7 **SECTION 7.** This act is effective when it becomes law.