

GENERAL ASSEMBLY OF NORTH CAROLINA  
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HOUSE BILL DRH10062-MMa-25A

Short Title: Separate Divs-Juv Justice and Adult Corr.-AB (Public)

Sponsors: Representatives McNeill, Boles, and C. Smith (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE JUVENILE JUSTICE AND ADULT CORRECTION SEPARATE  
3 DIVISIONS WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND TO  
4 APPROPRIATE FUNDS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 13 of Chapter 143B reads as rewritten:

7 "Article 13.

8 "Department of Public Safety.

9 "Part 1. General Provisions.

10 ...

11 "§ 143B-604. State Reentry Council Collaborative.

12 (a) The Secretary shall establish the State Reentry Council Collaborative (SRCC). The  
13 SRCC shall include up to two representatives from each of the following:

- 14 (1) The Division of Motor Vehicles.  
15 (2) The Department of Health and Human Services.  
16 (3) The Administrative Office of the Courts.  
17 (4) The North Carolina Community College System.  
18 (5) The Division of Adult Correction and Juvenile Justice of the Department of  
19 Public Safety.  
20 (6) A nonprofit entity that provides reentry services or reentry programs.  
21 (7) Any other agency that the Secretary deems relevant.

22 ...

23 ~~"Part 1A. Division of Adult Correction and Juvenile Justice.~~

24 ~~"§ 143B-630. Creation of Division of Adult Correction and Juvenile Justice; powers.~~

25 ~~There is hereby created and established a division to be known as the Division of Adult~~  
26 ~~Correction and Juvenile Justice of the Department of Public Safety. The Division shall have the~~  
27 ~~power and duty to implement Parts 2 and 3 of this Article and shall have such other powers and~~  
28 ~~duties as are set forth in this Chapter and are prescribed by the Secretary of the Department of~~  
29 ~~Public Safety.~~

30 "Part 2. Adult Correction.

31 "Subpart A. General Provisions.

32 ...

33 "§ 143B-701. Division of Adult Correction and Juvenile Justice of the Department of Public  
34 Safety – powers, duties.

35 (a) There is hereby established a division to be known as the Division of Adult Correction  
36 of the Department of Public Safety. The Division shall have the power and duty to implement



1 Part 2 of this Article and shall have such other powers and duties as are set forth in this Article  
2 and prescribed by the Secretary of the Department of Public Safety.

3 (b) It shall be the duty of the Division to provide the necessary custody, supervision, and  
4 treatment to control and rehabilitate criminal offenders and thereby to reduce the rate and cost of  
5 crime and delinquency.

6 **"§ 143B-702. Division of Adult Correction and Juvenile Justice of the Department of Public**  
7 **Safety – rules and regulations.**

8 The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety  
9 shall adopt rules and regulations related to the conduct, supervision, rights and privileges of  
10 persons in its custody or under its supervision. Such rules and regulations shall be filed with and  
11 published by the office of the Attorney General and shall be made available by the Division for  
12 public inspection. The rules and regulations shall include a description of the organization of the  
13 Division. A description or copy of all forms and instructions used by the Division, except those  
14 relating solely to matters of internal management, shall also be filed with the office of the  
15 Attorney General.

16 **"§ 143B-703. Repair or replacement of personal property.**

17 (a) The Secretary of Public Safety may adopt rules governing repair or replacement of  
18 personal property items excluding private passenger vehicles that belong to employees of State  
19 facilities within the Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public  
20 Safety and that are damaged or stolen by inmates of the State facilities provided that the item is  
21 determined by the Secretary to be damaged or stolen on or off facility grounds during the  
22 performance of employment and necessary for the employee to have in his possession to perform  
23 his assigned duty.

24 ...

25 **"§ 143B-704. Division of Adult Correction and Juvenile Justice of the Department of Public**  
26 **Safety – functions with respect to adults.**

27 (a) The functions of the Division of Adult Correction ~~and Juvenile Justice~~ of the  
28 Department of Public Safety shall include all functions of the executive branch of the State in  
29 relation to corrections and the rehabilitation of adult offenders, including detention, parole, and  
30 aftercare supervision, and further including those prescribed powers, duties, and functions  
31 enumerated in the laws of this State.

32 (b) All such functions, powers, duties, and obligations heretofore vested in the  
33 Department of Social Rehabilitation and Control and any agency enumerated in Article 14 of  
34 Chapter 143A of the General Statutes and laws of this State are hereby transferred to and vested  
35 in the Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety  
36 except as otherwise provided by the Executive Organization Act of 1973. They shall include, by  
37 way of extension and not of limitation, the functions of:

38 ...

39 **"§ 143B-705. Division of Adult Correction and Juvenile Justice of the Department of Public**  
40 **Safety – Alcoholism and Chemical Dependency Treatment Program.**

41 ...

42 (b) A Section Chief for the Alcoholism and Chemical Dependency Treatment Program  
43 shall be employed and shall report directly to a deputy director for the Division of Adult  
44 Correction ~~and Juvenile Justice~~ as designated by the Deputy Commissioner for the Division of  
45 Adult Correction and Juvenile Justice. The duties of the Section Chief and staff shall include the  
46 following:

- 47 (1) Administer and coordinate all substance abuse programs, grants, contracts,  
48 and related functions in the Division of Adult Correction ~~and Juvenile Justice~~  
49 of the Department of Public Safety.
- 50 (2) Develop and maintain working relationships and agreements with agencies  
51 and organizations that will assist in developing and operating alcoholism and

1 chemical dependency treatment and recovery programs in the Division of  
2 Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety.

3 ...

4 (7) Supervise directly the facility and district program managers, other  
5 specialized personnel, and programs that exist or may be developed in the  
6 Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public  
7 Safety.

8 ...

9 (c) In each prison that houses an alcoholism and chemical dependency program, there  
10 shall be a unit superintendent under the Section of Prisons of the Division of Adult Correction  
11 ~~and Juvenile Justice~~ and other custodial, administrative, and support staff as required to maintain  
12 the proper custody level at the facility. The unit superintendent shall be responsible for all matters  
13 pertaining to custody and administration of the unit. The Section Chief of the Alcoholism and  
14 Chemical Dependency Treatment Program shall designate and direct employees to manage  
15 treatment programs at each location. Duties of unit treatment program managers shall include  
16 program development and implementation, supervision of personnel assigned to treatment  
17 programs, adherence to all pertinent policy and procedural requirements of the Department, and  
18 other duties as assigned.

19 ...

20 **"§ 143B-707. Reports to the General Assembly.**

21 The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety  
22 shall report by March 1 of each year to the Chairs of the Senate and House Appropriations  
23 Committees and the Chairs of the Senate and House Appropriations Subcommittees in Justice  
24 and Public Safety on their efforts to provide effective treatment to offenders with substance abuse  
25 problems. The report shall include:

26 ...

27 (7) Evaluation of each substance abuse treatment program funded by the Division  
28 of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety.  
29 Evaluation measures shall include reduction in alcohol and drug dependency,  
30 improvements in disciplinary and infraction rates, recidivism (defined as  
31 return-to-prison rates), and other measures of the programs' success.

32 ...

33 **"§ 143B-708. Community service program.**

34 (a) The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public  
35 Safety may conduct a community service program. The program shall provide oversight of  
36 offenders placed under the supervision of the Section of Community Corrections of the Division  
37 of Adult Correction ~~and Juvenile Justice~~ and ordered to perform community service hours for  
38 criminal violations, including driving while impaired violations under G.S. 20-138.1. This  
39 program shall assign offenders, either on supervised or on unsupervised probation, to perform  
40 service to the local community in an effort to promote the offender's rehabilitation and to provide  
41 services that help restore or improve the community. The program shall provide appropriate work  
42 site placement for offenders ordered to perform community service hours. The Division may  
43 adopt rules to conduct the program. Each offender shall be required to comply with the rules  
44 adopted for the program.

45 ...

46 (e) The community service staff shall report to the court in which the community service  
47 was ordered, a significant violation of the terms of the probation, deferred prosecution, or  
48 conditional discharge related to community service, including a willful failure to pay any moneys  
49 due the State under any court order or payment schedule adopted by the Section of Community  
50 Corrections of the Division of Adult ~~Correction and Juvenile Justice~~. Correction. The community  
51 service staff shall give notice of the hearing to determine if there is a willful failure to comply to

1 the person who was ordered to perform the community service. This notice shall be given by  
2 either personal delivery to the person to be notified or by depositing the notice in the United  
3 States mail in an envelope with postage prepaid, addressed to the person at the last known address  
4 available to the preparer of the notice and reasonably believed to provide actual notice to the  
5 person. The notice shall be mailed at least 10 days prior to any hearing and shall state the basis  
6 of the alleged willful failure to comply. The court shall then conduct a hearing, even if the person  
7 ordered to perform the community service fails to appear, to determine if there is a willful failure  
8 to complete the work as ordered by the community service staff within the applicable time limits.  
9 The hearing may be held in the county in which the order requiring the performance of  
10 community service was imposed, the county in which the violation occurred, or the county of  
11 residence of the person. If the court determines there is a willful failure to comply, it shall revoke  
12 any drivers license issued to the person and notify the Division of Motor Vehicles to revoke any  
13 drivers license issued to the person until the community service requirement has been met. In  
14 addition, if the person is present, the court may take any further action authorized by Article 82  
15 of Chapter 15A of the General Statutes for violation of a condition of probation.

16 **"§ 143B-709. Security Staffing.**

17 (a) The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public  
18 Safety shall conduct:

19 ...

20 (b) The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public  
21 Safety shall update the security staffing relief formula at least every three years. Each update  
22 shall include a review of all annual training requirements for security staff to determine which of  
23 these requirements should be mandatory and the appropriate frequency of the training. The  
24 Division shall survey other states to determine which states use a vacancy factor in their staffing  
25 relief formulas.

26 ...

27 **"§ 143B-711. Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public  
28 Safety – organization.**

29 The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety  
30 shall be organized initially to include the Post-Release Supervision and Parole Commission, the  
31 Section of Prisons of the Division of Adult Correction, the Section of Community Corrections,  
32 the Section of Alcoholism and Chemical Dependency Treatment Programs, and such other  
33 divisions as may be established under Part 3 of this Article and under the other provisions of the  
34 Executive Organization Act of 1973.

35 ...

36 "Subpart C. Parole Commission.

37 **"§ 143B-720. Post-Release Supervision and Parole Commission – creation, powers and  
38 duties.**

39 (a) There is hereby created a Post-Release Supervision and Parole Commission of the  
40 Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety with the  
41 authority to grant paroles, including both regular and temporary paroles, to persons held by virtue  
42 of any final order or judgment of any court of this State as provided in Chapter 148 of the General  
43 Statutes and laws of the State of North Carolina, except that persons sentenced under Article 81B  
44 of Chapter 15A of the General Statutes are not eligible for parole but may be conditionally  
45 released into the custody and control of United States Immigration and Customs Enforcement  
46 pursuant to G.S. 148-64.1. The Commission shall also have authority to revoke, terminate, and  
47 suspend paroles of such persons (including persons placed on parole on or before the effective  
48 date of the Executive Organization Act of 1973) and to assist the Governor in exercising his  
49 authority in granting reprieves, commutations, and pardons, and shall perform such other services  
50 as may be required by the Governor in exercising his powers of executive clemency. The  
51 Commission shall also have authority to revoke and terminate persons on post-release

1 supervision, as provided in Article 84A of Chapter 15A of the General Statutes. The Commission  
 2 shall also have the authority to punish for criminal contempt for willful refusal to accept  
 3 post-release supervision or to comply with the terms of post-release supervision by a prisoner  
 4 whose offense requiring post-release supervision is a reportable conviction subject to the  
 5 registration requirement of Article 27A of Chapter 14 of the General Statutes. Any contempt  
 6 proceeding conducted by the Commission shall be in accordance with G.S. 5A-15 as if the  
 7 Commission were a judicial official.

8 ...

9 (c) The Commission is authorized and empowered to adopt such rules and regulations,  
 10 not inconsistent with the laws of this State, in accordance with which prisoners eligible for parole  
 11 consideration may have their cases reviewed and investigated and by which such proceedings  
 12 may be initiated and considered. All rules and regulations heretofore adopted by the Board of  
 13 Paroles shall remain in full force and effect unless and until repealed or superseded by action of  
 14 the Post-Release Supervision and Parole Commission. All rules and regulations adopted by the  
 15 Commission shall be enforced by the Division of Adult Correction ~~and Juvenile Justice~~ of the  
 16 Department of Public Safety.

17 ...

18 "Part 3. Juvenile Justice ~~Section~~Division.

19 "Subpart A. Creation of Division.

20 **"§ 143B-800. Creation of Juvenile Justice ~~Section of the Division of Adult Correction and~~**  
 21 **~~Juvenile Justice of the Department of Public Safety.~~**

22 There is hereby created and constituted a ~~section~~division to be known as the " Juvenile Justice  
 23 ~~Section of the Division of Adult Correction and Juvenile Justice of the Department of Public~~  
 24 ~~Safety", with the organization, powers, and duties as set forth in this Article or as prescribed by~~  
 25 ~~the Director of the Division of Adult Correction and Juvenile Justice.~~Secretary of the Department  
 26 of Public Safety.

27 **"§ 143B-801. Transfer of Office of Juvenile Justice authority to the Juvenile Justice ~~Section~~**  
 28 **~~of the Division of Adult Correction and Juvenile Justice of the Department of~~**  
 29 **~~Public Safety.~~**

30 (a) All (i) statutory authority, powers, duties, and functions, including directives of S.L.  
 31 1998-202, rule making, budgeting, and purchasing, (ii) records, (iii) personnel, personnel  
 32 positions, and salaries, (iv) property, and (v) unexpended balances of appropriations, allocations,  
 33 reserves, support costs, and other funds of the Office of Juvenile Justice under the Office of the  
 34 Governor are transferred to and vested in ~~the Juvenile Justice Section of the Division of Adult~~  
 35 ~~Correction and Juvenile Justice of the Department of Public Safety.~~ This transfer has all of the  
 36 elements of a Type I transfer as defined in G.S. 143A-6.

37 (b) The ~~Section~~Division shall be considered a continuation of the Office of Juvenile  
 38 Justice for the purpose of succession to all rights, powers, duties, and obligations of the Office  
 39 and of those rights, powers, duties, and obligations exercised by the Office of the Governor on  
 40 behalf of the Office of Juvenile Justice. Where the Office of Juvenile Justice or the Division of  
 41 Adult Correction and Juvenile Justice of the Department of Public Safety is referred to by law,  
 42 contract, or other document, that reference shall apply to ~~the Juvenile Justice Section of the~~  
 43 ~~Division of Adult Correction and Juvenile Justice.~~ Where the Office of the Governor is referred  
 44 to by contract or other document, where the Office of the Governor is acting on behalf of the  
 45 Office of Juvenile Justice, that reference shall apply to the ~~Section~~Division.

46 (c) All institutions previously operated by the Office of Juvenile Justice and the present  
 47 central office of the Office of Juvenile Justice, including land, buildings, equipment, supplies,  
 48 personnel, or other properties rented or controlled by the Office or by the Office of the Governor  
 49 for the Office of Juvenile Justice, shall be administered by the Juvenile Justice ~~Section of the~~  
 50 ~~Division of Adult Correction and Juvenile Justice of the Department of Public Safety.~~

51 ...

"Subpart B. General Provisions.

**"§ 143B-805. Definitions.**

In this Part, unless the context clearly requires otherwise, the following words have the listed meanings:

- (1) Chief court counselor. – The person responsible for administration and supervision of juvenile intake, probation, and post-release supervision in each judicial district, operating under the supervision of the Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile Justice~~ of the Department of Public Safety.

...

- (10a) Division. – The Division of Juvenile Justice of the Department of Public Safety.

...

- (19a) ~~Section.~~—The Juvenile Justice Section of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety.

...

**"§ 143B-806. Duties and powers of the Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile Justice~~ of the Department of Public Safety.**

...

(b) In addition to its other duties, the Division of Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile Justice~~ shall have the following powers and duties:

...

**"§ 143B-807. Authority to contract with other entities.**

(a) The ~~Section~~Division may contract with any governmental agency, person, or association for the accomplishment of its duties and responsibilities. The expenditure of funds under these contracts shall be for the purposes for which the funds were appropriated and not otherwise prohibited by law.

(b) The ~~Section~~Division may enter into contracts with, and act as intermediary between, any federal government agency and any county of this State for the purpose of assisting the county to recover monies expended by a county-funded financial assistance program. As a condition of assistance, the county shall agree to hold and save harmless the Section against any claims, loss, or expense which the Section might incur under the contracts by reason of any erroneous, unlawful, or tortious act or omission of the county or its officials, agents, or employees.

(c) The ~~Section~~Division and any other appropriate State or local agency may purchase services from public or private agencies providing delinquency prevention programs or juvenile court services, including parenting responsibility classes. The programs shall meet State standards. As institutional populations are reduced, the Section may divert State funds appropriated for institutional programs to purchase the services under the State Budget Act.

(d) Each programmatic, residential, and service contract or agreement entered into by the ~~Section~~Division shall include a cooperation clause to ensure compliance with the Section's quality assurance requirements and cost-accounting requirements.

**"§ 143B-808. Authority to assist private nonprofit foundations.**

The ~~Section~~Division may provide appropriate services or allow employees of the ~~Section~~Division to assist any private nonprofit foundation that works directly with the ~~Section's~~Division's services or programs and whose sole purpose is to support these services and programs. A ~~Section~~Division employee shall be allowed to work with a foundation no more than 20 hours in any one month. These services are not subject to Chapter 150B of the General Statutes.

The board of directors of each private, nonprofit foundation shall secure and pay for the services of the Department of State Auditor or employ a certified public accountant to conduct

1 an annual audit of the financial accounts of the foundation. The board of directors shall transmit  
2 to the ~~Section-Division~~ a copy of the annual financial audit report of the private nonprofit  
3 foundation.

4 **"§ 143B-809. Teen court programs.**

5 (a) All teen court programs administered by the ~~Juvenile Justice Section of the Division~~  
6 ~~of Adult Correction and Juvenile Justice of the Department of Public Safety~~ shall operate as  
7 community resources for the diversion of juveniles pursuant to G.S. 7B-1706(c). A juvenile  
8 diverted to a teen court program shall be tried by a jury of other juveniles, and, if the jury finds  
9 the juvenile has committed the delinquent act, the jury may assign the juvenile to a rehabilitative  
10 measure or sanction, including counseling, restitution, curfews, and community service.

11 Teen court programs may also operate as resources to the local school administrative units to  
12 handle problems that develop at school but that have not been turned over to the juvenile  
13 authorities.

14 (b) Every teen court program that receives funds from Juvenile Crime Prevention  
15 Councils shall comply with rules and reporting requirements of the ~~Juvenile Justice Section of~~  
16 ~~the Division of Adult Correction and Juvenile Justice of the Department of Public~~  
17 ~~Safety-Division.~~

18 ...

19 "Subpart C. Juvenile Facilities.

20 **"§ 143B-815. Juvenile facilities.**

21 In order to provide any juvenile in a juvenile facility with appropriate treatment according to  
22 that juvenile's need, the ~~Section-Division~~ shall be responsible for the administration of statewide  
23 educational, clinical, psychological, psychiatric, social, medical, vocational, and recreational  
24 services or programs.

25 **"§ 143B-816. Authority to provide necessary medical or surgical care.**

26 The ~~Section-Division~~ may provide any medical and surgical treatment necessary to preserve  
27 the life and health of juveniles committed to the custody of the ~~Section-Division~~; however, no  
28 surgical operation may be performed except as authorized in G.S. 148-22.2.

29 **"§ 143B-817. Compensation to juveniles in care.**

30 A juvenile who has been committed to the ~~Section-Division~~ may be compensated for work  
31 or participation in training programs at rates approved by the Secretary within available funds.  
32 The Secretary may provide for a reasonable allowance to the juvenile for incidental personal  
33 expenses, and any balance of the juvenile's earnings remaining at the time the juvenile is released  
34 shall be paid to the juvenile or the juvenile's parent or guardian. The ~~Section-Division~~ may accept  
35 grants or funds from any source to compensate juveniles under this section.

36 **"§ 143B-818. Visits and community activities.**

37 (a) The ~~Section-Division~~ shall encourage visits by parents or guardians and responsible  
38 relatives of juveniles committed to the custody of the Section.

39 (b) The ~~Section-Division~~ shall develop a program of home visits for juveniles in the  
40 custody of the ~~Section-Division~~. The visits shall begin after the juvenile has been in the custody  
41 of the for a period of at least six months. In developing the program, the ~~Section-Division~~ shall  
42 adopt criteria that promote the protection of the public and the best interests of the juvenile.

43 **"§ 143B-819. Regional detention services.**

44 The ~~Section-Division~~ is responsible for juvenile detention services, including the  
45 development of a statewide plan for regional juvenile detention services that offer juvenile  
46 detention care of sufficient quality to meet State standards to any juvenile requiring juvenile  
47 detention care within the State in a detention facility as follows:

- 48 (1) The ~~Section-Division~~ shall plan with the counties operating a county detention  
49 facility to provide regional juvenile detention services to surrounding  
50 counties. The ~~Section-Division~~ has discretion in defining the geographical  
51 boundaries of the regions based on negotiations with affected counties,

1 distances, availability of juvenile detention care that meets State standards,  
2 and other appropriate factors.

3 (2) The ~~Section~~Division may plan with any county that has space within its  
4 county jail system to use the existing space for a county detention facility  
5 when needed, if the space meets the State standards for a detention facility and  
6 meets all of the requirements of G.S. 153A-221. The use of space within the  
7 county jail system shall be constructed to ensure that juveniles are not able to  
8 converse with, see, or be seen by the adult population, and juveniles housed  
9 in a space within a county jail shall be supervised closely.

10 (3) The ~~Section~~Division shall plan for and administer regional detention  
11 facilities. The ~~Section~~Division shall carefully plan the location, architectural  
12 design, construction, and administration of a program to meet the needs of  
13 juveniles in juvenile detention care. The physical facility of a regional  
14 detention facility shall comply with all applicable State and federal standards.  
15 The programs of a regional detention facility shall comply with the standards  
16 established by the ~~Section~~Division.

17 **"§ 143B-820. State subsidy to county detention facilities.**

18 The ~~Section~~Division shall administer a State subsidy program to pay a county that provides  
19 juvenile detention services and meets State standards a certain per diem per juvenile. In general,  
20 this per diem should be fifty percent (50%) of the total cost of caring for a juvenile from within  
21 the county and one hundred percent (100%) of the total cost of caring for a juvenile from another  
22 county. Any county placing a juvenile in a detention facility in another county shall pay fifty  
23 percent (50%) of the total cost of caring for the juvenile to the ~~Section~~Division. The ~~Section~~  
24 Division may vary the exact funding formulas to operate within existing State appropriations or  
25 other funds that may be available to pay for juvenile detention care.

26 **"§ 143B-821. Authority for implementation.**

27 In order to allow for effective implementation of a statewide regional approach to juvenile  
28 detention, the ~~Section~~Division may:

29 ...

30 "Subpart D. Juvenile Court Services.

31 **"§ 143B-830. Duties and powers of chief court counselors.**

32 The chief court counselor in each district appointed under G.S. 143B-806(b)(15) may:

33 (1) Appoint juvenile court counselors, secretaries, and other personnel authorized  
34 by the ~~Section~~Division in accordance with the personnel policies adopted by  
35 the Section.

36 ...

37 (3) Provide in-service training for staff as required by the ~~Section~~Division.

38 ...

39 **"§ 143B-831. Duties and powers of juvenile court counselors.**

40 As the court or the chief court counselor may direct or require, all juvenile court counselors  
41 shall have the following powers and duties:

42 ...

43 (14) Provide supervision for a juvenile transferred to the counselor's supervision  
44 from another court or another state, and provide supervision for any juvenile  
45 released from an institution operated by the ~~Section~~Division when requested  
46 by the ~~Section~~Division to do so.

47 ...

48 (19) Have any other duties as the ~~Section~~Division may direct.

49 ...

50 "Subpart E. Comprehensive Juvenile Delinquency and Substance Abuse Prevention Plan.

51 **"§ 143B-840. Comprehensive Juvenile Delinquency and Substance Abuse Prevention Plan.**



1 (a) The ~~Section~~Division shall develop and implement a comprehensive juvenile  
2 delinquency and substance abuse prevention plan and shall coordinate with County Councils for  
3 implementation of a continuum of services and programs at the community level.

4 The ~~Section~~Division shall ensure that localities are informed about best practices in juvenile  
5 delinquency and substance abuse prevention.

6 ...

7 (c) The ~~Section~~Division shall cooperate with all other affected State agencies and  
8 entities in implementing this section.

9 ...

10 "Subpart F. Juvenile Crime Prevention Councils.

11 ...

12 **"§ 143B-851. Powers and duties.**

13 (a) Each County Council shall review annually the needs of juveniles in the county who  
14 are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the  
15 resources available to address those needs. In particular, each County Council shall assess the  
16 needs of juveniles in the county who are at risk or who have been associated with gangs or gang  
17 activity, and the local resources that are established to address those needs. The Council shall  
18 develop and advertise a request for proposal process and submit a written plan of action for the  
19 expenditure of juvenile sanction and prevention funds to the board of county commissioners for  
20 its approval. Upon the county's authorization, the plan shall be submitted to the ~~Section~~Division  
21 for final approval and subsequent implementation.

22 (b) Each County Council shall ensure that appropriate intermediate dispositional options  
23 are available and shall prioritize funding for dispositions of intermediate and community-level  
24 sanctions for court-adjudicated juveniles under minimum standards adopted by the  
25 ~~Section~~Division.

26 ...

27 **"§ 143B-853. Funding for programs.**

28 (a) Annually, the Division of ~~Adult Correction and~~ Juvenile Justice shall develop and  
29 implement a funding mechanism for programs that meet the standards developed under this  
30 Subpart. The Division shall ensure that the guidelines for the State and local partnership's funding  
31 process include the following requirements:

32 ...

33 (c) The ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile Justice  
34 of the Department of Public Safety shall report to the Senate and House of Representatives  
35 Appropriations Subcommittees on Justice and Public Safety no later than March 1, 2006, and  
36 annually thereafter, on the results of intensive intervention services. Intensive intervention  
37 services are evidence-based or research-supported community-based or residential services that  
38 are necessary for a juvenile in order to (i) prevent the juvenile's commitment to a youth  
39 development center or detention facility or (ii) facilitate the juvenile's successful return to the  
40 community following commitment. Specifically, the report shall provide a detailed description  
41 of each intensive intervention service, including the numbers of juveniles served, their  
42 adjudication status at the time of service, the services and treatments provided, the length of  
43 service, the total cost per juvenile, and the six- and 12-month recidivism rates for the juveniles  
44 after the termination of program services.

45 ...

46 **"§ 143B-935. Criminal history record checks of employees of and applicants for  
47 employment with the Department of Health and Human Services, and the  
48 ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile Justice  
49 of the Department of Public Safety.**

50 (a) Definitions. – As used in this section, the term:

51 (1) "Covered person" means any of the following:

- 1 a. An applicant for employment or a current employee in a position in  
2 the ~~Juvenile Justice Section of the~~ Division of Adult Correction and  
3 Juvenile Justice of the Department of Public Safety who provides  
4 direct care for a client, patient, student, resident or ward of the  
5 Division.
- 6 b. A person who supervises positions in the ~~Juvenile Justice Section of~~  
7 ~~the~~ Division of Adult Correction and Juvenile Justice of the  
8 Department of Public Safety providing direct care for a client, patient,  
9 student, resident or ward of the Division.
- 10 ...
- 11 f. An independent contractor or an employee of an independent  
12 contractor who has contracted with the ~~Juvenile Justice Section of the~~  
13 Division of ~~Adult Correction and~~ Juvenile Justice of the Department  
14 of Public Safety to provide direct care for a client, patient, student,  
15 resident, or ward of the Division.
- 16 g. A person who has been approved to perform volunteer services in or  
17 for the ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction~~  
18 ~~and~~ Juvenile Justice of the Department of Public Safety to provide  
19 direct care for a client, patient, student, resident, or ward of the  
20 Division.
- 21 (2) "Criminal history" means a State or federal history of conviction of a crime,  
22 whether a misdemeanor or felony, that bears upon a covered person's fitness  
23 for employment in the Department of Health and Human Services or the  
24 ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile  
25 Justice of the Department of Public Safety. The crimes include, but are not  
26 limited to, criminal offenses as set forth in any of the following Articles of  
27 Chapter 14 of the General Statutes: Article 5, Counterfeiting and Issuing  
28 Monetary Substitutes; Article 5A, Endangering Executive and Legislative  
29 Officers; Article 6, Homicide; Article 7B, Rape and Other Sex Offenses;  
30 Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13,  
31 Malicious Injury or Damage by Use of Explosive or Incendiary Device or  
32 Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson  
33 and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18,  
34 Embezzlement; Article 19, False Pretenses and Cheats; Article 19A,  
35 Obtaining Property or Services by False or Fraudulent Use of Credit Device  
36 or Other Means; Article 19B, Financial Transaction Card Crime Act; Article  
37 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality  
38 and Decency; Article 26A, Adult Establishments; Article 27, Prostitution;  
39 Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public  
40 Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots,  
41 Civil Disorders, and Emergencies; Article 39, Protection of Minors; Article  
42 40, Protection of the Family; Article 59, Public Intoxication; and Article 60,  
43 Computer-Related Crime. The crimes also include possession or sale of drugs  
44 in violation of the North Carolina Controlled Substances Act, Article 5 of  
45 Chapter 90 of the General Statutes, and alcohol-related offenses such as sale  
46 to underage persons in violation of G.S. 18B-302, or driving while impaired  
47 in violation of G.S. 20-138.1 through G.S. 20-138.5.
- 48 (b) When requested by the Department of Health and Human Services or the ~~Juvenile~~  
49 ~~Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile Justice of the Department of  
50 Public Safety, the North Carolina Department of Public Safety may provide to the requesting  
51 department or division a covered person's criminal history from the State Repository of Criminal

1 Histories. Such requests shall not be due to a person's age, sex, race, color, national origin,  
2 religion, creed, political affiliation, or handicapping condition as defined by G.S. 168A-3. For  
3 requests for a State criminal history record check only, the requesting department or division  
4 shall provide to the Department of Public Safety a form consenting to the check signed by the  
5 covered person to be checked and any additional information required by the Department of  
6 Public Safety. National criminal record checks are authorized for covered applicants who have  
7 not resided in the State of North Carolina during the past five years. For national checks the  
8 Department of Health and Human Services or the ~~Juvenile Justice Section of the Division of~~  
9 ~~Adult Correction and Juvenile Justice~~ of the Department of Public Safety shall provide to the  
10 North Carolina Department of Public Safety the fingerprints of the covered person to be checked,  
11 any additional information required by the Department of Public Safety, and a form signed by  
12 the covered person to be checked consenting to the check of the criminal record and to the use of  
13 fingerprints and other identifying information required by the State or National Repositories. The  
14 fingerprints of the individual shall be forwarded to the State Bureau of Investigation for a search  
15 of the State criminal history record file and the State Bureau of Investigation shall forward a set  
16 of fingerprints to the Federal Bureau of Investigation for a national criminal history record check.  
17 The Department of Health and Human Services and the ~~Juvenile Justice Section of the Division~~  
18 ~~of Adult Correction and Juvenile Justice~~ of the Department of Public Safety shall keep all  
19 information pursuant to this section confidential. The Department of Public Safety shall charge  
20 a reasonable fee for conducting the checks of the criminal history records authorized by this  
21 section.

22 (c) All releases of criminal history information to the Department of Health and Human  
23 Services or the ~~Juvenile Justice Section of the Division of Adult Correction and Juvenile Justice~~  
24 of the Department of Public Safety shall be subject to, and in compliance with, rules governing  
25 the dissemination of criminal history record checks as adopted by the North Carolina Department  
26 of Public Safety. All of the information either department receives through the checking of the  
27 criminal history is privileged information and for the exclusive use of that department.

28 (d) If the covered person's verified criminal history record check reveals one or more  
29 convictions covered under subsection (a) of this section, then the conviction shall constitute just  
30 cause for not selecting the person for employment, or for dismissing the person from current  
31 employment with the Department of Health and Human Services or the ~~Juvenile Justice Section~~  
32 ~~of the Division of Adult Correction and Juvenile Justice~~ of the Department of Public Safety. The  
33 conviction shall not automatically prohibit employment; however, the following factors shall be  
34 considered by the Department of Health and Human Services or the ~~Juvenile Justice Section of~~  
35 ~~the Division of Adult Correction and Juvenile Justice~~ of the Department of Public Safety in  
36 determining whether employment shall be denied:

37 ...

38 (e) The Department of Health and Human Services and the ~~Juvenile Justice Section of~~  
39 ~~the Division of Adult Correction and Juvenile Justice~~ of the Department of Public Safety may  
40 deny employment to or dismiss a covered person who refuses to consent to a criminal history  
41 record check or use of fingerprints or other identifying information required by the State or  
42 National Repositories of Criminal Histories. Any such refusal shall constitute just cause for the  
43 employment denial or the dismissal from employment.

44 (f) The Department of Health and Human Services and the ~~Juvenile Justice Section of~~  
45 ~~the Division of Adult Correction and Juvenile Justice~~ of the Department of Public Safety may  
46 extend a conditional offer of employment pending the results of a criminal history record check  
47 authorized by this section.

48 ...

49 "Part 6. Division of Administration.

50 "Subpart A. Governor's Crime Commission.

1 **"§ 143B-1100. Governor's Crime Commission – creation; composition; terms; meetings,**  
 2 **etc.**

3 (a) There is hereby created the Governor's Crime Commission of the Department of  
 4 Public Safety. The Commission shall consist of 37 voting members and five nonvoting members.  
 5 The composition of the Commission shall be as follows:

- 6 ...  
 7 (2) The nonvoting members shall be the Director of the State Bureau of  
 8 Investigation, the Deputy Chief of the ~~Juvenile Justice Section of the~~ Division  
 9 of ~~Adult Correction and~~ Juvenile Justice of the Department of Public Safety  
 10 who is responsible for Intervention/Prevention programs, the Deputy Chief of  
 11 the ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile  
 12 Justice of the Department of Public Safety who is responsible for Youth  
 13 Development programs, the Section Chief of the Section of Prisons of the  
 14 Division of Adult Correction and ~~Juvenile Justice~~ and the Section Chief of the  
 15 Section of Community Corrections of the Division of Adult ~~Correction and~~  
 16 ~~Juvenile Justice~~. Correction.

17 (b) The membership of the Commission shall be selected as follows:

- 18 (1) The following members shall serve by virtue of their office: the Governor, the  
 19 Chief Justice of the Supreme Court, the Attorney General, the Director of the  
 20 Administrative Office of the Courts, the Secretary of the Department of Health  
 21 and Human Services, the Secretary of Public Safety, the Director of the State  
 22 Bureau of Investigation, the Section Chief of the Section of Prisons of the  
 23 Division of Adult ~~Correction and~~ Juvenile Justice, Correction, the Section  
 24 Chief of the Section of Community Corrections of the Division of Adult  
 25 ~~Correction and~~ Juvenile Justice, Correction, the Deputy Chief who is  
 26 responsible for Intervention/Prevention of the ~~Juvenile Justice Section of the~~  
 27 Division of ~~Adult Correction and~~ Juvenile Justice of the Department of Public  
 28 Safety, the Deputy Chief who is responsible for Youth Development of the  
 29 ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile  
 30 Justice of the Department of Public Safety, and the Superintendent of Public  
 31 Instruction. Should the Chief Justice of the Supreme Court choose not to  
 32 serve, his alternate shall be selected by the Governor from a list submitted by  
 33 the Chief Justice which list must contain no less than three nominees from the  
 34 membership of the Supreme Court.

35 ...  
 36 "Subpart B. Treatment for Effective Community Supervision Program.

37 ...  
 38 **"§ 143B-1152. Definitions.**

39 The following definitions apply in this Subpart:

- 40 ...  
 41 (2) Division. – The Division of Adult ~~Correction and~~ Juvenile Justice. Correction.  
 42 ...  
 43 (6a) Section. – The Section of Community Corrections of the Division of Adult  
 44 ~~Correction and~~ Juvenile Justice. Correction.

45 ...  
 46 **"§ 143B-1154. Eligible population.**

47 ...  
 48 (b) The priority populations for programs funded under this Subpart shall be as follows:

49 ...

- 1 (2) Offenders identified by the Division of Adult Correction ~~and Juvenile Justice~~  
2 using a validated risk assessment instrument to have a high likelihood of  
3 reoffending and a moderate to high need for substance abuse treatment.

4 **"§ 143B-1155. Duties of Division of Adult Correction ~~and Juvenile Justice.~~**

5 (a) In addition to those otherwise provided by law, the Division of Adult Correction ~~and~~  
6 ~~Juvenile Justice~~ shall have the following duties:

7 ...

8 (b) The Section of Community Corrections of the Division of Adult Correction ~~and~~  
9 ~~Juvenile Justice~~ shall develop and publish a recidivism reduction plan for the State that  
10 accomplishes the following:

11 ...

12 **"§ 143B-1156. Contract for services.**

13 (a) The Division of Adult Correction ~~and Juvenile Justice~~ shall contract with service  
14 providers through a competitive procurement process to provide community-based services to  
15 offenders on probation, parole, or post-release supervision.

16 ...

17 (c) The Division of Adult ~~Correction and Juvenile Justice, Correction,~~ in partnership with  
18 the Department of Health and Human Services, shall develop standard service definitions and  
19 performance measures for substance abuse and aftercare support services for inclusion in the  
20 contracts.

21 ...

22 (e) The Division of Adult Correction ~~and Juvenile Justice~~ shall pay service providers the  
23 contract base award upon the initiation of services with the remaining payments made as  
24 milestones are reached as stated in the contract for services. If the service provider cancels or  
25 terminates the contract prior to its conclusion, the service provider shall reimburse the Division  
26 for the unearned pro rata portion of the base award.

27 ...

28 **"§ 143B-1161. Justice Reinvestment Council.**

29 (a) The Justice Reinvestment Council is established to act as an advisory body to the  
30 ~~Commissioner of Adult Correction~~ Secretary of the Department of Public Safety with regard to  
31 this Subpart. The Council shall consist of 13 members as follows, to be appointed as provided in  
32 subsection (b) of this section:

33 ...

34 (d) The purpose of the Justice Reinvestment Council in conjunction with the Department  
35 of Public Safety, Division of Adult ~~Correction and Juvenile Justice, Correction,~~ is to:

36 ...."

37 **SECTION 2.(a)** The following statutes are amended by deleting the language  
38 "Division of Adult Correction and Juvenile Justice" wherever it appears and substituting  
39 "Division of Adult Correction": G.S. 1-110, 7A-109.3, 7A-313, 7A-451, 7A-474.18, 7A-498.3,  
40 7B-2517, 14-202, 14-208.20, 14-208.40, 14-208.40A, 14-208.40B, 14-208.40C, 14-208.41,  
41 14-208.42, 14-208.43, 14-208.44, 14-208.45, 14-254.5, 14-258.1, 14-258.3, 14-269, 14-415.10,  
42 15-6.1, 15-10.1, 15-194, 15-196.3, 15-206, 15-209, 15A-145, 15A-145.1, 15A-146, 15A-147,  
43 15A-149, 15A-534, 15A-534.1, 15A-544.3, 15A-544.5, 15A-615, 15A-821, 15A-830, 15A-832,  
44 15A-837, 15A-1332, 15A-1340.13, 15A-1340, 15A-1340.14, 15A-1340.16, 15A-1340.18,  
45 15A-1340.20, 15A-1340.21, 15A-1341, 15A-1342, 15A-1343, 15A-1343.2, 14-258.2,  
46 15A-1343.3, 15A-1344, 15A-1351, 15A-1352, 15A-1353, 15A-1354, 15A-1355, 15A-1368.4,  
47 15A-1368, 15A-1368.2, 15A-1368.3, 15A-1368.6, 15A-1369, 15A-1369.4, 15A-1371,  
48 15A-1374, 15A-1376, 15A-2000, 15B-21, 15B-31, 15B-32, 20-19, 20-28, 20-81.12, 20-179,  
49 20-179.3, 20-179.4, 50-13.2, 65-4, 66-25, 66-58, 97-13, 105-259, 106-915, 108A-14, 115C-46.2,  
50 115D-5, 122C-22, 122C-55, 122C-62, 122C-311, 122C-312, 122C-313, 122C-402, 122C-421,  
51 126-23, 127A-54, 130A-25, 131E-98, 131E-184, 131E-214.1, 135-1, 143-63.1, 143-138,

1 143-300.7, 143-599, 143-166.2, 143-166.7, 143-166.13, 143B-179, 146-33, 147-12, 148-2,  
2 148-3, 148-4, 148-4.1, 148-6, 148-10, 148-10.1, 148-10.2, 148-10.3, 148-10.4, 148-10.5, 148-11,  
3 148-12, 148-18, 148-18.1, 148-19, 148-19.1, 148-19.2, 148-22, 148-22.1, 148-23, 148-23.1,  
4 148-23.2, 148-24, 148-26, 148-26.5, 148-28, 148-29, 148-32.1, 148-32.2, 148-33, 148-33.1,  
5 148-36, 148-37, 148-37.3, 18-40, 148-41, 148-45, 148-46.1, 148-53, 148-54, 148-59, 148-64,  
6 148-64.1, 148-65.6, 148-65.7, 148-66, 148-67, 148-70, 148-74, 148-78, 148-118.1, 148-118.2,  
7 148-118.4, 148-118.5, 148-118.6, 148-130, 148-131, 148-132, 148-134, 150B-1, 153A-221,  
8 153A-230.1, 153A-230.2, 153A-230.3, 153A-230.5, 160A-287, 162-39, 163-82.20, 164-40,  
9 164-42, 164-47, and 164-50.

10 **SECTION 2.(b)** The following statutes are amended by deleting the language  
11 "Division of Adult Correction and Juvenile Justice" wherever it appears and substituting  
12 "Division of Juvenile Justice": G.S. 7B-1501, 7B-2204, 115C-106.3, 115C-107.6, 115C-108.1,  
13 115C-296.2, 115C-325.10, and 153A-218.

14 **SECTION 2.(c)** The following statutes are amended by deleting the language  
15 "Section of Community Corrections of the Division of Adult Correction and Juvenile Justice"  
16 wherever it appears and substituting "Section of Community Corrections of the Division of Adult  
17 Correction": G.S. 7B-3000, 7B-3001, 7B-3100, 14-208.40C, 14-208.41, 15A-837, 15A-1342,  
18 15A-1343, 15A-1343.2, 15A-1368.4, 15A-1369.4, 15A-1371, 20-179.3, 105-259, 115C-46.2,  
19 and 148-65.6.

20 **SECTION 2.(d)** The following statutes are amended by deleting the language  
21 "Section of Prisons of the Division of Adult Correction and Juvenile Justice" wherever it appears  
22 and substituting "Section of Prisons of the Division of Adult Correction": G.S. 14-208.6,  
23 14-208.40C, 14-258.2, 66-58, 130A-25, 148-11, 148-18, 148-29, 148-130, and 148-45.

24 **SECTION 2.(e)** The following statutes are amended by deleting the language  
25 "Juvenile Justice Section of the Division of Adult Correction and Juvenile Justice" wherever it  
26 appears and substituting "Division of Juvenile Justice": G.S. 7A-109.3, 7A-302, 7B-3100,  
27 14-239, 14-258.1, 14-316.1, 15-6, 15A-521, 15A-1301, 15A-1351, 15A-1352, 17C-3, 66-58,  
28 114-12.1, 115D-1, 122C-113, 122C-115.4, 122C-117, 143-166.2, 143-166.13, 143B-152.14,  
29 143B-153, 143B-935, 143B-1391, 148-32.1, 162-601, 153A-221.1, 148-13, 64-40, and 164-43.

30 **SECTION 2.(f)** G.S. 7B-1402(b) reads as rewritten:

31 "(b) The Task Force shall be composed of 36 members, 12 of whom shall be ex officio  
32 members, four of whom shall be appointed by the Governor, 10 of whom shall be appointed by  
33 the Speaker of the House of Representatives, and 10 of whom shall be appointed by the President  
34 Pro Tempore of the Senate. The ex officio members other than the Chief Medical Examiner may  
35 designate representatives from their particular departments, divisions, or offices to represent  
36 them on the Task Force. In making appointments or designating representatives, appointing  
37 authorities and ex officio members shall use best efforts to select members or representatives  
38 with sufficient knowledge and experience to effectively contribute to the issues examined by the  
39 Task Force and, to the extent possible, to reflect the geographical, political, gender, and racial  
40 diversity of this State. The members shall be as follows:

41 ...

42 (11a) The Director of the ~~Juvenile Justice Section, Division of Adult Correction and~~  
43 Juvenile Justice, Department of Public Safety.

44 ...."

45 **SECTION 2.(g)** G.S. 120-70.94(a) reads as rewritten:

46 "(a) The Joint Legislative Oversight Committee on Justice and Public Safety shall  
47 examine, on a continuing basis, the correctional, law enforcement, and juvenile justice systems  
48 in North Carolina, in order to make ongoing recommendations to the General Assembly on ways  
49 to improve those systems and to assist those systems in realizing their objectives of protecting  
50 the public and of punishing and rehabilitating offenders. In this examination, the Committee  
51 shall:

- 1 ...
- 2 (2) Examine the effectiveness of the Division of Adult Correction ~~and Juvenile~~
- 3 ~~Justice~~ of the Department of Public Safety in implementing the public policy
- 4 stated in G.S. 148-26 of providing work assignments and employment for
- 5 inmates as a means of reducing the cost of maintaining the inmate population
- 6 while enabling inmates to acquire or retain skills and work habits needed to
- 7 secure honest employment after their release.
- 8 ...
- 9 (2b) Examine the effectiveness of the Division of ~~Adult Correction and Juvenile~~
- 10 ~~Justice~~ of the Department of Public Safety in implementing the duties and
- 11 responsibilities charged to the Division in Part 3 of Article 13 of Chapter 143B
- 12 of the General Statutes and the overall effectiveness and efficiency of the
- 13 juvenile justice system in the State.
- 14 ...
- 15 (10) Study the needs of juveniles. This study may include, but is not limited to:
- 16 a. Determining the adequacy and appropriateness of services:
- 17 1. To children and youth receiving child welfare
- 18 ~~services;services.~~
- 19 2. To children and youth in the juvenile court ~~system;system.~~
- 20 3. Provided by the Division of Social Services of the Department
- 21 of Health and Human Services and the Division of ~~Adult~~
- 22 ~~Correction and Juvenile Justice~~ of the Department of Public
- 23 ~~Safety;Safety.~~
- 24 4. To children and youth served by the Mental Health,
- 25 Developmental Disabilities, and Substance Abuse Services
- 26 system.
- 27 ...."

**SECTION 2.(h)** G.S. 143-166.1 reads as rewritten:

**"§ 143-166.1. Purpose.**

In consideration of hazardous public service rendered to the people of this State, there is hereby provided a system of benefits for dependents of law-enforcement officers, firefighters, rescue squad workers, and senior Civil Air Patrol members killed in the discharge of their official duties, and for dependents of noncustodial employees of the Division of Adult Correction and the Division of Juvenile Justice of the Department of Public Safety killed by an individual or individuals in the custody of the Division of Adult Correction ~~and~~ or the Division Juvenile Justice of the Department of Public Safety."

**SECTION 2.(i)** G.S. 148-128 reads as rewritten:

**"§ 148-128. Authorization for Correction Enterprises.**

The Section of Correction Enterprises of the Division of Adult Correction ~~and Juvenile Justice~~ is established as a division section of the Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety. The Section of Correction Enterprises of the Division of Adult Correction ~~and Juvenile Justice~~ may develop and operate industrial, agricultural, and service enterprises that employ incarcerated offenders in an effort to provide them with meaningful work experiences and rehabilitative opportunities that will increase their employability upon release from prison. Enterprises operated under this Article shall be known as "Correction Enterprises.""

**SECTION 3.** There is appropriated from the General Fund to the Department of Public Safety, Division of Juvenile Justice, the sum of nine hundred ninety thousand dollars (\$990,000) in recurring funds for the 2021-2023 fiscal biennium to provide annualized recurring funding for seven full-time equivalent (FTE) positions in the Division of Juvenile Justice.

**SECTION 4.** This act becomes effective July 1, 2021.