



CHAPTER 122C  
ARTICLE 5 - PROCEDURES FOR ADMISSION AND DISCHARGE OF CLIENTS

N.C.G.S. § 122C-276.1.

Inpatient commitment; rehearings for respondents who are insanity acquittees.

|                                                                                    |                                                                                                   |                                           |                                                                                              |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|
| SOURCE<br>General Statutes of North Carolina, as published by the General Assembly | LAST AMENDMENT IN THIS TEXT<br>1991 (Reg. Sess., 1992), c. 1034, s. 4 — second act in the lineage | RETRIEVED<br>21 September 2026, 02:54 UTC | SOURCE FINGERPRINT<br>382e1b3a33dd2438a23b7b7b - a20bacf6904757564c7442fd - 4744aabf5832b39b |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|

§ 122C-276.1(a) At least 15 days before the end of any inpatient commitment period ordered pursuant to G.S. 122C-268.1, the clerk shall calendar the hearing and notify the parties as specified in G.S. 122C-264(d1), unless the hearing is waived by the respondent.

§ 122C-276.1(b) The proceedings of the rehearing shall be governed by the same procedures provided by G.S. 122C-268.1.

§ 122C-276.1(c)  
BURDEN OF PROOF The respondent shall bear the burden to prove by a preponderance of the evidence that he (i) no longer has a mental illness as defined in G.S. 122C-3(21), or (ii) is no longer dangerous to others as defined in G.S. 122C-3(11)b. If the court is so satisfied, then the court shall order the respondent discharged and released. If the court finds that the respondent has not met his burden of proof, then the court shall order inpatient commitment be continued for a period not to exceed 180 days. The court shall make a written record of the facts that support its findings.

§ 122C-276.1(d) At least 15 days before the end of any commitment period ordered pursuant to subsection (c) of this section and annually thereafter, the clerk shall calendar the hearing and notify the parties as specified in G.S. 122C-264(d1). The procedures and standards for the rehearing are the same as under this section. No third or subsequent inpatient recommitment order shall be for a period longer than one year.

APPARATUS I  
2 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

|

1991

1992

TICK HEIGHT = ACTS IN THAT YEAR    DASHED = RECODIFICATION, NOT AMENDMENT

| Nº | YEAR | ACT                                    | CHARACTER |
|----|------|----------------------------------------|-----------|
| 01 | 1991 | c. 37, s. 3                            | ENACTED   |
| 02 | 1991 | 1991 (Reg. Sess., 1992), c. 1034, s. 4 | AMENDED   |

APPARATUS II  
4 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE                | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION                |
|--------------------------|------------|---------------------------------------------------|
| G.S. 122C-268.1          | (a)        | "inpatient commitment period ordered pursuant to" |
| G.S. 122C-264(d1)        | (a)        | "notify the parties as specified in"              |
| G.S. 122C-3(21), or (ii) | (c)        | "a mental illness as defined in"                  |
| G.S. 122C-3(11)          | (c)        | "dangerous to others as defined in"               |

APPARATUS III

Citation

FULL SECTION  
N.C. Gen. Stat. § 122C-276.1 (1991).

PINPOINT  
N.C. Gen. Stat. § 122C-276.1(a) (1991).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

## Provenance

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The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE  
(1991, c. 37, s. 3; 1991 (Reg. Sess., 1992), c. 1034, s. 4.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

