



CHAPTER 15A

ARTICLE 81B - STRUCTURED SENTENCING OF PERSONS CONVICTED OF CRIMES

N.C.G.S. § 15A-1340.11.

Definitions.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2022-6, s. 8.2(e) — twelfth act in the lineage	21 September 2026, 05:13 UTC	7ef5d1708f609a0a0d3f76f7 - b38019f57fdb76261eb8247a - bf088a6ceb9e2c4f

The following definitions apply in this Article:

Active punishment. - A sentence in a criminal case that requires an offender to serve a sentence of imprisonment and is not suspended. Special probation, as defined in G.S. 15A-1351, is not an active punishment.

Community punishment. - A sentence in a criminal case that does not include an active punishment, assignment to a local judicially managed accountability and recovery court, or special probation as defined in G.S. 15A-1351(a). It may include any one or more of the conditions set forth in G.S. 15A-1343(a1).

Repealed by Session Laws 2011-192, s. 1(h), effective December 1, 2011.

Repealed by Session Laws 2022-6, s. 8.2(e), effective March 17, 2022, and applicable to probation imposed on or after that date.

Repealed by Session Laws 1997-57, s. 2.

House arrest with electronic monitoring. - Probation in which the offender is required to remain at his or her residence. The court, in the sentencing order, may authorize the offender to leave the offender's residence for employment, counseling, a course of study, vocational training, or other specific purposes and may modify that authorization. The probation officer may authorize the offender to leave the offender's residence for specific purposes not authorized in the court order upon approval of the probation officer's supervisor. The offender shall be required to wear a device which permits the supervising agency to monitor the offender's compliance with the condition.

Repealed by Session Laws 2011-192, s. 1(i), effective December 1, 2011.

Intermediate punishment. - A sentence in a criminal case that places an offender on supervised probation. It may include local judicially managed accountability and recovery court, special probation as defined in G.S. 15A-1351(a), and one or more of the conditions set forth in G.S. 15A-1343(a1).

Local judicially managed accountability and recovery court program. - Local program in which offenders are required, as a condition of probation, to comply with the rules adopted for the program as provided for in Article 62 of Chapter 7A of the General Statutes and to report on a regular basis for a specified time to participate in any of the following:

- a. Court supervision.
- b. Drug screening or testing.
- c. Drug or alcohol treatment programs.
- d. Mental, behavioral, or medical health-related treatment programs.

Prior conviction. - A person has a prior conviction when, on the date a criminal judgment is entered, the person being sentenced has been previously convicted of a crime in either:

- a. The district court, and the person has not given notice of appeal and the time for appeal has expired.
- b. The superior court, regardless of whether the conviction is on appeal to the appellate division.
- c. The courts of the United States, another state, the Armed Forces of the United States, or another country, regardless of whether the offense would be a crime if it occurred in North Carolina, regardless of whether the crime was committed before or after the effective date of this Article.

Repealed by Session Laws 2011-192, s. 1(j), effective December 1, 2011.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
12 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.

			
1993		2008	2022
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1993	c. 538, s. 1	ENACTED
02	1994	Ex. Sess., c. 14, s. 17	AMENDED

03	1994	c. 24, s. 14(b)	AMENDED
04	1997	S.L. 1997-57, s. 2	AMENDED
05	1997	S.L. 1997-80, s. 6	AMENDED
06	1999	S.L. 1999-306, s. 2	AMENDED
07	2004	S.L. 2004-128, s. 3	AMENDED
08	2009	S.L. 2009-372, s. 5	AMENDED
09	2009	S.L. 2009-547, s. 6	AMENDED
10	2011	S.L. 2011-183, s. 17	AMENDED
11	2011	S.L. 2011-192, s. 1(a), (b), (h)-(j)	AMENDED
12	2022	S.L. 2022-6, s. 8.2(e)	AMENDED

APPARATUS II
3 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. 15A-1351	(null)(1)	"suspended. Special probation, as defined in"
G.S. 15A-1351(a)	(null)(2)	"or special probation as defined in"
G.S. 15A-1343(a1)	(null)(2)	"of the conditions set forth in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1340.11 (2022).

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

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1993, c. 538, s. 1; 1994, Ex. Sess., c. 14, s. 17; c. 24, s. 14(b); 1997-57, s. 2; 1997-80, s. 6; 1999-306, s. 2; 2004-128, s. 3; 2009-372, s. 5; 2009-547, s. 6; 2011-183, s. 17; 2011-192, s. 1(a), (b), (h)-(j); 2022-6, s. 8.2(e).)

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