



CHAPTER 15A

ARTICLE 81B - STRUCTURED SENTENCING OF PERSONS CONVICTED OF CRIMES

N.C.G.S. § 15A-1340.20.

Procedure and incidents of sentence of imprisonment for misdemeanors.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-180, s. 19C.9(p) — seventh act in the lineage	21 September 2026, 03:45 UTC	3ec2d1b83b4c25590f30227e - 9c2b0b53638ae6d96da81a2f - be506bd2345b410f

- § 15A-1340.20(a)** Application to Misdemeanors Only. - This Part applies to sentences imposed for misdemeanor convictions.
- § 15A-1340.20(b)** Procedure Generally; Term of Imprisonment. - A sentence imposed for a misdemeanor shall contain a sentence disposition specified for the class of offense and prior conviction level, and any sentence of imprisonment shall be within the range specified for the class of offense and prior conviction level, unless applicable statutes require otherwise. The kinds of sentence dispositions are active punishment, intermediate punishment, and community punishment. Except for the work and earned time credits authorized by G.S. 162-60, or earned time credits authorized by G.S. 15A-1355(c), if applicable, an offender whose sentence of imprisonment is activated shall serve each day of the term imposed.
- § 15A-1340.20(c)** Suspension of Sentence. - Unless otherwise provided, the court shall suspend a sentence of imprisonment if the class of offense and prior conviction level requires community or intermediate punishment as a sentence disposition.
- § 15A-1340.20(c1)** Active Punishment Exception. - The court may impose an active punishment for a class of offense and prior conviction level that does not otherwise authorize the imposition of an active punishment if the term of imprisonment is equal to or less than the total amount of time the offender has already spent committed to or in confinement in any State or local correctional, mental, or other institution as a result of the charge that culminated in the sentence.

§ 15A-1340.20(d)

Earned Time Authorization. - An offender sentenced to a term of imprisonment that is activated is eligible to receive earned time credit for misdemeanor offenders awarded by the Division of Prisons of the Department of Adult Correction or the custodian of a local confinement facility, pursuant to rules adopted in accordance with law and pursuant to G.S. 162-60. These rules and statute combined shall not award misdemeanor offenders more than four days of earned time credit per month of incarceration.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
7 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.



Nº	YEAR	ACT	CHARACTER
01	1993	c. 538, s. 1	ENACTED
02	1994	Ex. Sess., c. 24, s. 14(b)	AMENDED
03	1994	1993 (Reg. Sess., 1994), c. 767, s. 1	AMENDED
04	1997	S.L. 1997-79, s. 1	AMENDED
05	2011	S.L. 2011-145, s. 19.1(h)	AMENDED
06	2017	S.L. 2017-186, s. 2(jjj)	AMENDED
07	2021	S.L. 2021-180, s. 19C.9(p)	AMENDED

APPARATUS II
2 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. 162-60	(b)	"and earned time credits authorized by"
G.S. 15A-1355(c)	(b)	"or earned time credits authorized by"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1340.20 (2021).

PINPOINT

N.C. Gen. Stat. § 15A-1340.20(a) (2021).

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

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1993, c. 538, s. 1; 1994, Ex. Sess., c. 24, s. 14(b); 1993 (Reg. Sess., 1994), c. 767, s. 1; 1997-79, s. 1; 2011-145, s. 19.1(h); 2017-186, s. 2(jjj); 2021-180, s. 19C.9(p).)

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