



CHAPTER 15A
ARTICLE 82 - PROBATION

N.C.G.S. § 15A-1341.

Probation generally.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2025-25, s. 29(5) — sixteenth act in the lineage	RETRIEVED 21 September 2026, 03:11 UTC	SOURCE FINGERPRINT 49b74064a2fa304e68fd7d0f - 29d785009692eaa6213d3dc6 - 2c79565cb77e7113
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§ 15A-1341(a) Use of Probation. - Unless specifically prohibited, a person who has been convicted of any criminal offense may be placed on probation as provided by this Article if the class of offense of which the person is convicted and the person's prior record or conviction level under Article 81B of this Chapter authorizes a community or intermediate punishment as a type of sentence disposition or if the person is convicted of impaired driving under G.S. 20-138.1. The provisions of subsections (a1), (a2), (a4), and (a5) of this section do not apply and a person is not eligible for deferred prosecution or a conditional discharge under those subsections if the person is being placed on probation under this Article for a conviction of impaired driving under G.S. 20-138.1.

§ 15A-1341(a1) Deferred Prosecution. - A person who has been charged with a Class H or I felony or a misdemeanor may be placed on probation as provided in this Article on motion of the defendant and the prosecutor if the court finds each of the following facts:

- (1) Prosecution has been deferred by the prosecutor pursuant to written agreement with the defendant, with the approval of the court, for the purpose of allowing the defendant to demonstrate his good conduct.
- (2) Each known victim of the crime has been notified of the motion for probation by subpoena or certified mail and has been given an opportunity to be heard.
- (3) The defendant has not been convicted of any felony or of any misdemeanor involving moral turpitude.
- (4) The defendant has not previously been placed on probation and so states under oath.

- (5) The defendant is unlikely to commit another offense other than a Class 3 misdemeanor.

§ 15A-1341(a2) Deferred Prosecution for Purpose of Local Judicially Managed Accountability and Recovery Court Program. - A defendant eligible for a local judicially managed accountability and recovery court program pursuant to Article 62 of Chapter 7A of the General Statutes may be placed on probation if the court finds that prosecution has been deferred by the prosecutor, with the approval of the court, pursuant to a written agreement with the defendant, for the purpose of allowing the defendant to participate in and successfully complete the local judicially managed accountability and recovery court program.

§ 15A-1341(a3) Conditional Discharge for Prostitution. - A defendant for whom the court orders a conditional discharge pursuant to G.S. 14-204(b) may be placed on probation as provided in this Article.

§ 15A-1341(a4) Conditional Discharge. - Whenever a person pleads guilty to or is found guilty of a Class H or I felony or a misdemeanor, the court may, on joint motion of the defendant and the prosecutor, and without entering a judgment of guilt and with the consent of the person, defer further proceedings and place the person on probation as provided in this Article for the purpose of allowing the defendant to demonstrate the defendant's good conduct if the court finds each of the following facts:

- (1) Each known victim of the crime has been notified of the motion for probation by subpoena or certified mail and has been given an opportunity to be heard.
- (2) The defendant has not been convicted of any felony or of any misdemeanor involving moral turpitude.
- (3) The defendant has not previously been placed on probation and so states under oath.
- (4) The defendant is unlikely to commit another offense other than a Class 3 misdemeanor.

§ 15A-1341(a5) Conditional Discharge for Purpose of Local Judicially Managed Accountability and Recovery Court Program. - When a defendant is eligible for a local judicially managed accountability and recovery court program pursuant to Article 62 of Chapter 7A of the General Statutes, the court may, without entering a judgment of guilt and with the consent of the defendant, defer further proceedings and place the defendant on

probation for the purpose of allowing the defendant to participate in and successfully complete a local judicially managed accountability and recovery court program.

§ 15A-1341(a6)

Compliance With Terms of Conditional Discharge. - Upon violation of a term or condition of a conditional discharge granted pursuant to this section, the court may enter an adjudication of guilt and proceed as otherwise provided. If the revocation hearing is heard in superior court, the superior court shall enter an adjudication of guilt and shall not remand the matter to district court, unless covered by G.S. 7A-271(f). Upon fulfillment of the terms and conditions of a conditional discharge granted pursuant to this section, any plea or finding of guilty previously entered shall be withdrawn and the court shall discharge the person and dismiss the proceedings against the person.

§ 15A-1341(b)

Supervised and Unsupervised Probation. - The court may place a person on supervised or unsupervised probation. A person on unsupervised probation is subject to all incidents of probation except supervision by or assignment to a probation officer.

§ 15A-1341(c)

Repealed by Session Laws 1995, c. 429, s. 1.

§ 15A-1341(d)

Search of Sex Offender Registration Information Required When Placing a Defendant on Probation. - When the court places a defendant on probation, the probation officer assigned to the defendant shall conduct a search of the defendant's name or other identifying information against the registration information regarding sex offenders compiled by the Department of Public Safety in accordance with Article 27A of Chapter 14 of the General Statutes. The probation officer may conduct the search using the website maintained by the Department of Public Safety.

§ 15A-1341(e)

Review of Defendant's Juvenile Record. - The probation officer assigned to a defendant may examine and obtain copies of the defendant's juvenile record in a manner consistent with G.S. 7B-3000(b) and (e1).

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
16 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.

1977		2001		2025	
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER		
01	1977	c. 711, s. 1	ENACTED		
02	1977	2nd Sess., c. 1147, ss. 4A, 5	AMENDED		
03	1981	c. 377, ss. 2, 3	AMENDED		
04	1993	c. 538, s. 15	AMENDED		
05	1994	Ex. Sess., c. 24, s. 14(b)	AMENDED		
06	1995	c. 429, s. 1	AMENDED		
07	1999	S.L. 1999-298, s. 1	AMENDED		
08	2006	S.L. 2006-247, s. 14	AMENDED		
09	2009	S.L. 2009-372, s. 4	AMENDED		
10	2013	S.L. 2013-368, s. 7	AMENDED		
11	2014	S.L. 2014-100, s. 17.1(dd)	AMENDED		
12	2014	S.L. 2014-119, s. 2(a)	AMENDED		
13	2015	S.L. 2015-150, s. 1	AMENDED		
14	2022	S.L. 2022-6, s. 8.2(g)	AMENDED		
15	2023	S.L. 2023-97, s. 4(b)	AMENDED		
16	2025	S.L. 2025-25, s. 29(5)	AMENDED		

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. 20-138.1	(a)	"is convicted of impaired driving under"
G.S. 14-204(b)	(a3)	"orders a conditional discharge pursuant to"
G.S. 7A-271(f)	(a6)	"to district court, unless covered by"
G.S. 7B-3000(b) and (e1)	(e)	"record in a manner consistent with"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1341 (2025).

PINPOINT

N.C. Gen. Stat. § 15A-1341(a) (2025).

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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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1977, c. 711, s. 1; 1977, 2nd Sess., c. 1147, ss. 4A, 5; 1981, c. 377, ss. 2, 3; 1993, c. 538, s. 15; 1994, Ex. Sess., c. 24, s. 14(b); 1995, c. 429, s. 1; 1999-298, s. 1; 2006-247, s. 14; 2009-372, s. 4; 2013-368, s. 7; 2014-100, s. 17.1(dd); 2014-119, s. 2(a); 2015-150, s. 1; 2022-6, s. 8.2(g); 2023-97, s. 4(b); 2025-25, s. 29(5).)

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