

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 1167  
May 20, 2020  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40604-MLa-152

Short Title: Prisoner Release/Notification Required. (Public)

Sponsors: Representative Morey.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE DIVISION OF ADULT CORRECTION AND JUVENILE  
3 JUSTICE AT THE DEPARTMENT OF PUBLIC SAFETY TO PROVIDE NOTICE TO  
4 THE RELEVANT PUBLIC HEALTH DIRECTOR AND LOCAL REENTRY COUNCIL  
5 PRIOR TO RELEASING AN INCARCERATED PERSON DURING THE COVID-19  
6 OUTBREAK.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Purpose. – The purpose of this act is to prevent community spread of  
9 COVID-19 from persons who have been in prison or congregate living conditions.

10 **SECTION 2.** Requirement. – Prior to the release of an incarcerated person from  
11 prison, the Division of Adult Correction and Juvenile Justice at the Department of Public Safety  
12 (Division) shall (i) administer COVID-19 testing to the person and (ii) provide notice of the  
13 release to the public health director of the county in which the person intends to reside and, except  
14 as otherwise provided in this section, the Local Reentry Council serving the county in which the  
15 person intends to reside. If the county in which the person intends to reside is not covered by a  
16 Local Reentry Council, the Division shall only provide notice to the public health director of the  
17 county in which the person intends to reside. The Division shall provide the notice required under  
18 this section at least five days prior to the date the person is scheduled for release. Upon receiving  
19 the notice required under this section, the county public health director or Local Reentry Council  
20 shall use best efforts to provide COVID-19 testing to the person, and medical treatment and  
21 quarantine, if necessary.

22 **SECTION 3.** Effect on Release. – Failure to provide notice of an incarcerated  
23 person's release in accordance with Section 2 of this act shall not prevent or otherwise delay the  
24 release of the incarcerated person.

25 **SECTION 4.** Appropriation. – There is appropriated from the General Fund to the  
26 Department of Public Safety the sum of twenty-five thousand dollars (\$25,000) in nonrecurring  
27 funds for the 2019-2020 fiscal year to be used to cover costs incurred from implementing the  
28 provisions of this act.

29 **SECTION 5.** Applicability. – The notice required under Section 2 of this act only  
30 applies to the release of incarcerated persons on or after the effective date of Section 2 of this act.

31 **SECTION 6.** Effective Date & Expiration. – Sections 4 and 6 of this act are effective  
32 when they become law. The remainder of this act is effective when it becomes law and expires  
33 on the date the Governor rescinds Executive Order No. 116, Declaration of a State of Emergency  
34 to Coordinate Response and Protective Actions to Prevent the Spread of COVID-19.



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