GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

SESSION LAW 2013-389
SENATE BILL 368

AN ACT TO PROVIDE FOR A TEN-DOLLAR CO-PAY FOR PRESCRIPTION MEDICATION DISPENSED IN A COUNTY JAIL, TO PROVIDE THE PISTOL PERMIT FEE TO BE AN APPLICATION FEE, AND TO MAKE IT A FELONY TO ESCAPE FROM A COUNTY FACILITY WHEN CHARGED WITH AND BEING HELD FOR A FELONY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-225(a) reads as rewritten:

"(a) Each unit that operates a local confinement facility shall develop a plan for providing medical care for prisoners in the facility. The plan

(1) Shall be designed to protect the health and welfare of the prisoners and to avoid the spread of contagious disease;
(2) Shall provide for medical supervision of prisoners and emergency medical care for prisoners to the extent necessary for their health and welfare;
(3) Shall provide for the detection, examination and treatment of prisoners who are infected with tuberculosis or venereal diseases.

The unit shall develop the plan in consultation with appropriate local officials and organizations, including the sheriff, the county physician, the local or district health director, and the local medical society. The plan must be approved by the local or district health director after consultation with the area mental health, developmental disabilities, and substance abuse authority, if it is adequate to protect the health and welfare of the prisoners. Upon a determination that the plan is adequate to protect the health and welfare of the prisoners, the plan must be adopted by the governing body.

As a part of its plan, each unit may establish fees of not more than twenty dollars ($20.00) per incident for the provision of nonemergency medical care to ~~prisoners.~~prisoners and a fee of not more than ten dollars ($10.00) for a 30-day supply or less of a prescription drug. In establishing fees pursuant to this section, each unit shall establish a procedure for waiving fees for indigent prisoners."

SECTION 2. G.S. 14-404(e) reads as rewritten:

"(e) The sheriff shall charge for the sheriff's services upon ~~issuing the license or permit~~receipt of an application a fee of five dollars ($5.00) for each permit requested."

SECTION 3. G.S. 14-256 reads as rewritten:

"**§ 14-256. Prison breach and escape from county or municipal confinement facilities or officers.**

If any person shall break any prison, jail or lockup maintained by any county or municipality in North Carolina, being lawfully confined therein, or shall escape from the lawful custody of any superintendent, guard or officer of such prison, jail or lockup, he shall be guilty of a Class 1 misdemeanor, except that the person is guilty of a Class H felony if:

(1) He has been charged with or convicted of a felony and has been committed to the facility pending trial or transfer to the State prison system; or
(2) He is serving a sentence imposed upon conviction of a felony."

SECTION 4. Sections 1 and 2 of this act become effective August 1, 2013, and apply to fees assessed or collected on or after that date. Section 3 of this act becomes effective December 1, 2013, and applies to offenses occurring on or after that date. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 26th day of July, 2013.

s/ Tom Apodaca
Presiding Officer of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 10:46 a.m. this 23rd day of August, 2013