

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 817  
Judiciary I Committee Substitute Adopted 5/12/09

Short Title: Increase Child Support Collections.

(Public)

Sponsors:

Referred to:

March 25, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCREASE CHILD SUPPORT COLLECTIONS BY PERMITTING GREATER  
3 SENTENCING FLEXIBILITY FOR A PERSON WHO COMMITS CRIMINAL  
4 CONTEMPT BY FAILING TO COMPLY WITH AN ORDER TO PAY CHILD  
5 SUPPORT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 5A-12(a) reads as rewritten:

8 "(a) A person who commits criminal contempt, whether direct or indirect, is subject to  
9 censure, imprisonment up to 30 days, fine not to exceed five hundred dollars (\$500.00), or any  
10 combination of the three, except ~~that that~~:

11 (1) ~~a~~A person who commits a contempt described in G.S. 5A-11(8) is subject to  
12 censure, imprisonment not to exceed 6 months, fine not to exceed five  
13 hundred dollars (\$500.00), or any combination of the ~~three and three~~;

14 (2) ~~a~~A person who has not been arrested who fails to comply with a  
15 nontestimonial identification order, issued pursuant to Article 14 of  
16 G.S. Chapter 15A of the General Statutes is subject to censure,  
17 imprisonment not to exceed 90 days, fine not to exceed five hundred dollars  
18 (\$500.00), or any combination of the ~~three three~~; and

19 (3) A person who commits criminal contempt by failing to comply with an order  
20 to pay child support is subject to censure, imprisonment up to 30 days, fine  
21 not to exceed five hundred dollars (\$500.00), or any combination of the  
22 three. However, a sentence of imprisonment up to 120 days may be imposed  
23 for a single act of criminal contempt resulting from the failure to pay child  
24 support, provided the sentence is suspended upon conditions reasonably  
25 related to the contemnor's payment of child support."

26 **SECTION 2.** This act becomes effective December 1, 2009, and applies to  
27 offenses committed on or after that date.

