

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 1173
Second Edition Engrossed 6/21/12
Senate Rules and Operations of the Senate Committee Substitute Adopted 6/28/12

Short Title: Absconding Prob. Violators Forfeit Benefits.

(Public)

Sponsors:

Referred to:

May 30, 2012

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDOS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-1345 is amended by adding a new subsection to read:

"(a1) Suspension of Public Assistance Benefits for Probation Violators Who Avoid Arrest. – The court may order the suspension of any public assistance benefits that are being received by a probationer for whom the court has issued an order for arrest for violation of the conditions of probation but who is absconding or otherwise willfully avoiding arrest. The suspension of benefits shall continue until such time as the probationer surrenders to or is otherwise brought under the jurisdiction of the court. For purposes of this section, the term "public assistance benefits" includes unemployment benefits, Medicaid or other medical assistance benefits, Work First Family Assistance, food and nutrition benefits, any other programs of public assistance under Article 2 of Chapter 108A of the General Statutes, and any other financial assistance of any kind being paid to the probationer from State or federal funds. Nothing in this subsection shall be construed to suspend, or in any way affect the eligibility for, any public assistance benefits that are being received by or for the benefit of a family member of a probation violator."

SECTION 2. The Division of Social Services and the Division of Medical Assistance of the Department of Health and Human Services and the Division of Employment Security of the Department of Commerce shall adopt rules for the provision of assistance by those divisions to local law enforcement in the enforcement of this act.

SECTION 3. Section 1 of this act becomes effective October 1, 2012. The remainder of this act is effective when it becomes law.

