

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 887
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HOUSE PRINCIPAL CLERK

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HOUSE DRH20274-LH-141 (03/19)

Short Title: Amend Criminal Contempt.

(Public)

Sponsors: Representative Setzer.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE PENALTY FOR A SECOND OR SUBSEQUENT ACT OF
3 CRIMINAL CONTEMPT.

4 The General Assembly of North Carolina enacts:

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

6 "(a) A person who commits an initial act of criminal contempt, whether direct or
7 indirect, is subject to censure, imprisonment up to 30 days, fine not to exceed five hundred
8 dollars (\$500.00), or any combination of the three, and for each subsequent and additional act
9 of criminal contempt, whether direct or indirect, is subject to censure, imprisonment up to 90
10 days, fine not to exceed one thousand dollars (\$1,000), or any combination of the three for the
11 additional act of criminal contempt, except that:

- 12 (1) A person who commits a contempt described in G.S. 5A-11(8) is subject to
13 censure, imprisonment not to exceed 6 months, fine not to exceed five
14 hundred dollars (\$500.00), or any combination of the three;
- 15 (2) A person who has not been arrested who fails to comply with a
16 nontestimonial identification order, issued pursuant to Article 14 of Chapter
17 15A of the General Statutes is subject to censure, imprisonment not to
18 exceed 90 days, fine not to exceed five hundred dollars (\$500.00), or any
19 combination of the three; and
- 20 (3) A person who commits criminal contempt by failing to comply with an order
21 to pay child support is subject to censure, imprisonment up to 30 days, fine
22 not to exceed five hundred dollars (\$500.00), or any combination of the
23 three. However, a sentence of imprisonment up to 120 days may be imposed
24 for a single act of criminal contempt resulting from the failure to pay child
25 support, provided the sentence is suspended upon conditions reasonably
26 related to the contemnor's payment of child support."

27 **SECTION 2.** This act becomes effective December 1, 2015, and applies to
28 offenses committed on or after that date.

