

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

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HOUSE BILL 887

Short Title: Amend Criminal Contempt. (Public)

Sponsors: Representative Setzer (Primary Sponsor).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Judiciary II.

April 15, 2015

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR A SECOND OR SUBSEQUENT ACT OF CRIMINAL CONTEMPT.

The General Assembly of North Carolina enacts:

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

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

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

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



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