

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 427

Short Title: Restrict Defendant/Secured Bond.

(Public)

Sponsors: Representative Cromer.

Referred to: Judiciary.

March 2, 1989

A BILL TO BE ENTITLED

AN ACT TO ALLOW JUDICIAL OFFICIALS TO PLACE RESTRICTIONS ON DEFENDANTS WHO POST SECURED BOND.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-534(a) reads as rewritten:

"(a) In determining conditions of pretrial release a judicial official must impose one of the following conditions:

- (1) Release the defendant on his written promise to appear.
- (2) Release the defendant upon his execution of an unsecured appearance bond in an amount specified by the judicial official.
- (3) Place the defendant in the custody of a designated person or organization agreeing to supervise him.
- (4) Require the execution of an appearance bond in a specified amount secured by a cash deposit of the full amount of the bond, by a mortgage pursuant to G.S. 109-25, or by at least one solvent surety.

If condition (3) is imposed, however, the defendant may elect to execute an appearance bond under subdivision (4). ~~If a~~ The judicial official orders release of a defendant under conditions (1), (2), or (3), he may also place restrictions on the travel, associations, conduct, or place of abode of the defendant. ~~defendant.~~ defendant, as conditions of pretrial release."

Sec. 2. This act shall become effective October 1, 1989.