

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 684
House Committee Substitute Favorable 7/31/89

Short Title: Clarify Jail Fee Applicability.

(Public)

Sponsors:

Referred to:

March 29, 1989

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE APPLICABILITY OF JAIL FEES AND TO ALLOW COUNTIES TO REPRESENT DOCTORS AND DENTISTS IN CERTAIN ACTIONS BROUGHT BY PRISONERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-313 reads as rewritten:

"§ 7A-313. Uniform jail fees.

~~Any person~~ Only persons who are lawfully confined in jail awaiting trial or who are ordered to pay jail fees pursuant to a probationary sentence, shall be liable to the county or municipality maintaining the jail in the sum of five dollars (\$5.00) for each 24 hours' confinement, or fraction thereof, except that a person so confined shall not be liable for this fee if a nolle prosequi is entered, the case or proceeding against him is dismissed, or if acquitted, or if judgment is arrested, or if probable cause is not found, or if the grand jury fails to return a true bill."

Sec. 2. G.S. 153A-97 reads as rewritten:

"§ 153A-97. Defense of officers, employees and others.

A county may, pursuant to G.S. 160A-167, provide for the defense of:

- (1) ~~any~~ Any county officer or employee, including the county board of elections or any county election official, ~~and of;~~
- (2) ~~any~~ Any member of a volunteer fire department or rescue squad which receives public funds; and
- (3) Any person or professional association who at the request of the board of county commissioners provides medical or dental services to

1 inmates in the custody of the sheriff and is sued pursuant to 42 U.S.C.
2 § 1983 with respect to the services."

3 Sec. 3. Section 1 of this act shall become effective October 1, 1989. The
4 remaining sections are effective upon ratification.