

GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 1994

CHAPTER 19
SENATE BILL 50

AN ACT TO PROVIDE THAT A DEFENDANT WHO WILLFULLY VIOLATES A
CONDITION OF PROBATION MAY BE HELD IN CRIMINAL CONTEMPT
FOR THE VIOLATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 5A-11(a) is amended by adding a new subdivision to read:

"(9a) Willful refusal by a defendant to comply with a condition of probation."

Sec. 2. G.S. 15A-1344 is amended by adding a new subsection to read:

"(e1) Criminal Contempt in Response to Violation. – If a defendant willfully violates a condition of probation, the court may hold the defendant in criminal contempt as provided in Article 1 of Chapter 5A of the General Statutes. A finding of criminal contempt by the court shall not revoke the probation."

Sec. 3. G.S. 15A-1343.2(g) is repealed.

Sec. 4. This act becomes effective May 1, 1994, and applies to defendants sentenced on or after that date.

In the General Assembly read three times and ratified this the 18th day of March, 1994.

Marc Basnight
President Pro Tempore of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives