

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

S

D

SENATE BILL 817
PROPOSED COMMITTEE SUBSTITUTE S817-PCS35322-ST-34

Short Title: Increase Child Support Collections.

(Public)

Sponsors:

Referred to:

March 25, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE CHILD SUPPORT COLLECTIONS BY PERMITTING GREATER
3 SENTENCING FLEXIBILITY FOR A PERSON WHO COMMITS CRIMINAL
4 CONTEMPT BY FAILING TO COMPLY WITH AN ORDER TO PAY CHILD
5 SUPPORT.

6 The General Assembly of North Carolina enacts:

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

8 "(a) A person who commits criminal contempt, whether direct or indirect, is subject to
9 censure, imprisonment up to 30 days, fine not to exceed five hundred dollars (\$500.00), or any
10 combination of the three, except ~~that~~ that:

11 (1) ~~a~~A person who commits a contempt described in G.S. 5A-11(8) is subject to
12 censure, imprisonment not to exceed 6 months, fine not to exceed five
13 hundred dollars (\$500.00), or any combination of the ~~three and three~~;

14 (2) ~~a~~A person who has not been arrested who fails to comply with a
15 nontestimonial identification order, issued pursuant to Article 14 of
16 ~~G.S. Chapter 15A of the General Statutes~~ is subject to censure,
17 imprisonment not to exceed 90 days, fine not to exceed five hundred dollars
18 (\$500.00), or any combination of the ~~three~~ three; and

19 (3) A person who commits criminal contempt by failing to comply with an order
20 to pay child support is subject to censure, imprisonment up to 30 days, fine
21 not to exceed five hundred dollars (\$500.00), or any combination of the
22 three. However, a sentence of imprisonment up to 120 days may be imposed
23 for a single act of criminal contempt resulting from the failure to pay child
24 support, provided the sentence is suspended upon conditions reasonably
25 related to the contemnor's payment of child support."

26 **SECTION 2.** This act becomes effective December 1, 2009, and applies to
27 offenses committed on or after that date.

