



NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 649

H649-CRRV-25 [v.7]

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[NO] Title Change

[YES] For Committee Substitute

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 649, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO GROUNDS FOR REVOCATION OF LICENSURE UNDER THE LAWS REGULATING BAIL BONDSMEN AND ALLOWING A BAIL AGENT ACTING ON BEHALF OF A SURETY COMPANY TO MAKE WRITTEN MOTIONS REGARDING SETTING ASIDE BAIL FORFEITURE AND RELIEF FROM FINAL JUDGMENT OF BAIL FORFEITURE UNDER THE LAWS PERTAINING TO CRIMINAL PROCEDURE, Senate Judiciary II Committee Substitute Adopted 6/9/11, submit the following report:

The House and Senate agree to the following amendments to the Senate Judiciary II Committee Substitute Adopted 6/9/11, and the House concurs in the Senate Judiciary II Committee Substitute as amended:

On page 3, lines 20-26 by rewriting those lines to read:

"SECTION 7. G.S. 15A-544.5(d)(2) reads as rewritten:

'(2) The motion ~~is shall be~~ filed in the office of the clerk of superior court of the county in which the forfeiture was ~~entered, and a copy is served, entered.~~ The moving party shall, under G.S. 1A-1, Rule 5, serve a copy of the motion on the district attorney for that county and on the attorney for the county board of education. The clerk of superior court shall, by personal delivery or by mail, provide a copy of the motion to the district attorney for the county and to the attorney for the county board of education.'

SECTION 8. G.S. 15A-544.5(d)(4) reads as rewritten:

'(4) If neither the district attorney nor the attorney for the board of education has filed a written objection to the motion by the twentieth day after a copy of the motion is served, provided by the clerk of superior court, the clerk shall enter an order setting aside the forfeiture.'

SECTION 9. G.S. 15A-544.8(c)(1) reads as rewritten:"

And on page 3, lines 39-40 by rewriting those to read:

"SECTION 10. G.S. 15A-544.8(c)(2) reads as rewritten:

'(2) The motion ~~is shall be~~ filed in the office of the clerk of superior court of the county in which the final judgment was ~~entered, and a copy shall be served, entered.~~ The moving party shall, under G.S. 1A-1, Rule 5, serve a copy of the motion on the district attorney for that county and on the attorney for the



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county board of education. The clerk of superior court shall, by personal delivery or by mail, provide a copy of the motion to the district attorney for the county and to the attorney for the county board of education.'

SECTION 11. Sections 6, 7, 8, 9, and 10 of this act become effective December 1, 2011. The remainder of this act is effective when it becomes law."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date Conferees approved report: June 16, 2011.

Conferees for the Senate

Conferees for the
House of Representatives

Thom Goolsby, Chair

Ralph Hise

Doug Berger

Don East

Shirley B. Randleman

Paul Stam

Linda P. Johnson

Rick Glazier

N. Leo Daughtry

Sen	Submitted	<u>6-16-11</u>	(44/0)	Message Received	_____
Sen	ADOPTED	<u>6-16-11</u>	(42)	Ordered Enrolled	_____
	ADOPTED	_____	(/)		_____

House Notified 6-16-11
Special Message

PLACED ON CALENDAR FOR
6-16-11