

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 461
PROPOSED COMMITTEE SUBSTITUTE H461-PCS70411-SA-35

Short Title: Judicial Department Travel Reimbursement.

(Public)

Sponsors:

Referred to:

April 1, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO REPEAL THE RESTRICTION ON TRAVEL REIMBURSEMENT TO
3 SUPERIOR COURT AND DISTRICT COURT JUDGES, DISTRICT ATTORNEYS,
4 ASSISTANT DISTRICT ATTORNEYS, PUBLIC DEFENDERS, AND ASSISTANT
5 PUBLIC DEFENDERS FOR TRAVEL WITHIN THE COUNTY OF RESIDENCE AND
6 TO MAKE THE REIMBURSEMENT LANGUAGE FOR THOSE OFFICES
7 CONSISTENT.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 7A-44(a) reads as rewritten:

10 "(a) A judge of the superior court, regular or special, shall receive the annual salary set
11 forth in the Current Operations Appropriations Act, and in addition shall be paid the same
12 ~~travel allowance~~ reimbursement as State employees generally by G.S. 138-6(a), ~~provided that~~
13 ~~no travel allowance be paid for travel within his county of residence. G.S. 138-6(a) when~~
14 traveling on official business. For purposes of this subsection, the term "official business" does
15 not include regular, daily commuting between a judge's home and the court, unless the court is
16 located outside the judge's county of residence. The Administrative Officer of the Courts may
17 also reimburse superior court judges, in addition to the above funds for travel, for travel and
18 subsistence expenses incurred for professional education."

19 SECTION 2. G.S. 7A-65(a) reads as rewritten:

20 "(a) The annual salary of:

- 21 (1) District attorneys shall be as provided in the Current Operations
22 Appropriations Act.
23 (2) Full-time assistant district attorneys shall be as provided in the Current
24 Operations Appropriations Act.

25 When traveling on official business, each district attorney and assistant district attorney is
26 entitled to reimbursement ~~for his or her subsistence expenses~~ to the same extent as State
27 employees generally. ~~When traveling on official business outside his or her county of~~
28 ~~residence, each district attorney and assistant district attorney is entitled to reimbursement for~~
29 ~~travel expenses to the same extent as State employees generally.~~ generally under G.S. 138-6(a).
30 For purposes of this subsection, the term "official business" does not include regular, daily
31 commuting between a person's home and the district attorney's office. Travel distances, for
32 purposes of reimbursement for mileage, shall be determined according to the travel policy of
33 the Administrative Office of the Courts."

34 SECTION 3. G.S. 7A-144(a) reads as rewritten:

35 "(a) Each judge shall receive the annual salary provided in the Current Operations
36 Appropriations Act, and reimbursement on the same basis as State employees ~~generally, for his~~



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1 ~~or her necessary subsistence expenses and for travel expenses generally under G.S. 138-6(a)~~
2 ~~when traveling on official business outside the judge's county of residence.~~business. For
3 purposes of this subsection, the term "official business" does not include regular, daily
4 commuting between a judge's home and the ~~court.~~court, unless the court is located outside the
5 judge's county of residence. Travel distances, for purposes of reimbursement for mileage, shall
6 be determined according to the travel policy of the Administrative Office of the Courts."

7 **SECTION 4.** G.S. 7A-498.7(c1) reads as rewritten:

8 "(c1) When traveling on official business, each public defender and assistant public
9 defender is entitled to reimbursement ~~for his or her subsistence expenses~~ to the same extent as
10 State employees ~~generally.~~ ~~When traveling on official business outside his or her county of~~
11 ~~residence, each public defender and assistant public defender is entitled to reimbursement for~~
12 ~~travel expenses to the same extent as State employees generally.~~ generally under G.S. 138-6(a).
13 For purposes of this subsection, the term "official business" does not include regular, daily
14 commuting between a person's home and the public defender's office. Travel distances, for
15 purposes of reimbursement for mileage, shall be determined according to the travel policy of
16 the Administrative Office of the Courts."

17 **SECTION 5.** This act becomes effective July 1, 2013.