

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

**H.B. 887**  
**Apr 14, 2015**  
**HOUSE PRINCIPAL CLERK**

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HOUSE DRH20274-LH-141 (03/19)

Short Title: Amend Criminal Contempt.

(Public)

Sponsors: Representative Setzer.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCREASE THE PENALTY FOR A SECOND OR SUBSEQUENT ACT OF  
3 CRIMINAL CONTEMPT.

4 The General Assembly of North Carolina enacts:

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

6 "(a) A person who commits an initial act of criminal contempt, whether direct or  
7 indirect, is subject to censure, imprisonment up to 30 days, fine not to exceed five hundred  
8 dollars (\$500.00), or any combination of the three, and for each subsequent and additional act  
9 of criminal contempt, whether direct or indirect, is subject to censure, imprisonment up to 90  
10 days, fine not to exceed one thousand dollars (\$1,000), or any combination of the three for the  
11 additional act of criminal contempt, except that:

- 12 (1) A person who commits a contempt described in G.S. 5A-11(8) is subject to  
13 censure, imprisonment not to exceed 6 months, fine not to exceed five  
14 hundred dollars (\$500.00), or any combination of the three;
- 15 (2) A person who has not been arrested who fails to comply with a  
16 nontestimonial identification order, issued pursuant to Article 14 of Chapter  
17 15A of the General Statutes is subject to censure, imprisonment not to  
18 exceed 90 days, fine not to exceed five hundred dollars (\$500.00), or any  
19 combination of the three; and
- 20 (3) A person who commits criminal contempt by failing to comply with an order  
21 to pay child support is subject to censure, imprisonment up to 30 days, fine  
22 not to exceed five hundred dollars (\$500.00), or any combination of the  
23 three. However, a sentence of imprisonment up to 120 days may be imposed  
24 for a single act of criminal contempt resulting from the failure to pay child  
25 support, provided the sentence is suspended upon conditions reasonably  
26 related to the contemnor's payment of child support."

27 **SECTION 2.** This act becomes effective December 1, 2015, and applies to  
28 offenses committed on or after that date.

