

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 633

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H633-ABH-38 [v.3]

Page 1 of 2

Amends Title [YES]
Third Edition

Date _____, 2019

Senator Rabon

1 moves to amend the bill on page 1, lines 1 – 2, by rewriting the lines to read:

2
3 "A BILL TO BE ENTITLED
4 AN ACT TO STRENGTHEN THE LAWS AGAINST CRIMINAL GANG ACTIVITY AND
5 CLARIFY JUDICIAL STANDARDS COMMISSION PROCEDURES.";

6
7 and on page 5, lines 4 – 17, by rewriting the lines to read:

8
9 **"PART IV. CLARIFY JUDICIAL STANDARDS COMMISSION INVESTIGATIONS**
10 **AGAINST JUDGES**

11 **SECTION 4.(a)** G.S. 7A-377(a) reads as rewritten:

12 "(a) Any citizen of the State may file a written complaint with the Commission concerning
13 the qualifications or conduct of any justice or judge of the General Court of Justice, and thereupon
14 the Commission shall make such investigation as it deems necessary. The Commission may also
15 make an investigation on its own motion. The Commission shall not make an investigation,
16 whether initiated upon its own motion or by written complaint of a citizen of this State, when the
17 motion or complaint is based substantially upon a legal ruling by a district or superior court judge
18 and the legal ruling has not yet been reviewed and ruled upon by either the North Carolina Court
19 of Appeals or the North Carolina Supreme Court. The Commission is limited to reviewing
20 judicial conduct, not matters of law. The Commission may issue process to compel the attendance
21 of witnesses and the production of evidence, to administer oaths, and to punish for contempt. No
22 justice or judge shall be recommended for public reprimand, censure, suspension, or removal
23 unless he has been given a hearing affording due process of law."

24 **SECTION 4.(b)** This section is effective when it becomes law and applies to
25 complaints or investigations pending on or after that date.

26
27 **PART V. SEVERABILITY CLAUSE**

28 **SECTION 5.** If any provision of this act or its application is held invalid, the
29 invalidity does not affect other provisions or applications of this act that can be given effect
30 without the invalid provisions or application, and to this end, the provisions of this act are
31 severable.
32



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1 **PART VI. SAVINGS CLAUSE**

2 **SECTION 6.** Prosecutions for offenses committed before the effective date of this
3 act are not abated or affected by this act, and the statutes that would be applicable but for this act
4 remain applicable to those prosecutions.

5
6 **PART VII. EFFECTIVE DATE**

7 **SECTION 7.** Except as otherwise provided, this act becomes effective December 1,
8 2019."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**