

NORTH CAROLINA GENERAL ASSEMBLY
1975 SESSION

CHAPTER 626
HOUSE BILL 967

AN ACT TO PERMIT MAGISTRATES AND CLERKS OF COURT TO ENTER PLEAS OF GUILTY IN WORTHLESS CHECK CASES PRIOR TO TRIAL DATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1011(a) is hereby amended to add a new subdivision to read as follows:

- "(6) The defendant, before a magistrate or clerk of court, enters a written appearance, waiver of trial and plea of guilty and at the same time makes restitution in a case wherein the sole allegation is a violation of G.S. 14-107, the amount of the check is three hundred dollars (\$300.00) or less, and the warrant does not charge a fourth or subsequent violation of this statute."

Sec. 2. G.S. 7A-180 is hereby amended to add a new subsection (8) to read as follows:

- "(8) Has the power to accept written appearances, waivers of trial and pleas of guilty to violations of G.S. 14-107 when restitution is made, the amount of the check is three hundred dollars (\$300.00) or less, and the warrant does not charge a fourth or subsequent violation of this statute, and, in such cases, to enter such judgments as the chief district judge shall direct and, forward the amounts collected as restitution to the appropriate prosecuting witnesses and to collect the costs;".

Sec. 3. G.S. 7A-181(2) is hereby rewritten to read as follows:

- "(2) Have the same powers as the clerk of superior court with respect to the issuance of warrants and acceptance of written appearances, waivers of trial and pleas of guilty; and".

Sec. 4. G.S. 7A-273 is hereby amended to add a new subsection (7) to read as follows:

- "(7) To accept written appearances, waivers of trial and pleas of guilty to violations of G.S. 14-107 and enter such judgments as the chief district judge shall direct, when the amount of the check is three hundred dollars (\$300.00) or less, restitution is made, and the warrant does not charge a fourth or subsequent violation of this statute."

Sec. 5. This act shall become effective on the effective date of Chapter 1286 - Session Laws 1973 (G.S. Chapter 15A).

In the General Assembly read three times and ratified, this the 16th day of June, 1975.