

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

S

1

SENATE BILL 775

Short Title: Out-of-State Witness Payment.

(Public)

Sponsors: Senator Ezzell.

Referred to: Judiciary I.

April 5, 1989

A BILL TO BE ENTITLED

AN ACT CONCERNING THE METHOD FOR PAYMENT OF OUT-OF-STATE WITNESSES IN CRIMINAL CASES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-314(c) reads as rewritten:

~~"(e) A witness who resides in a state other than North Carolina and who appears for the purpose of testifying in a criminal action and proves his attendance may be compensated at the rate of ten cents (10¢) a mile for one round trip from his place of residence to the place of appearance, and five dollars (\$5.00) for each day that he is required to travel and attend as a witness, upon order of the court based upon a finding that the person was a necessary witness. If such a witness is required to appear more than one day, he is also entitled to reimbursement for actual expenses incurred for lodging and meals, not to exceed the maximum currently authorized for State employees.~~

(c) A witness who resides outside North Carolina who appears for the purpose of testifying in a criminal action and proves his attendance may, upon a finding by the court that he was a necessary witness, be compensated as follows:

(1) For the witness' transportation expenses for one round trip from the witness' place of residence to the place of appearance, reimbursement at the rate and under the rules generally applicable to State employees traveling on official business;

(2) For lodging and meals, reimbursement for actual expenses incurred, not to exceed the maximum currently authorized for State employees

1 traveling on official business out of State, but only if the witness is
2 required to attend more than one day; and
3 (3) For each day that the witness is to travel and attend as a witness, a fee
4 of five dollars (\$5.00)."

5 Sec. 2. This act shall become effective October 1, 1989.