

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**EXTRA SESSION 1994**

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SENATE BILL 50  
Second Edition Engrossed 2/16/94  
House Committee Substitute Favorable 3/17/94

Short Title: Probation Violation Is Contempt.

(Public)

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Sponsors:

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Referred to:

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February 10, 1994

A BILL TO BE ENTITLED

1  
2 AN ACT TO PROVIDE THAT A DEFENDANT WHO WILLFULLY VIOLATES A  
3 CONDITION OF PROBATION MAY BE HELD IN CRIMINAL CONTEMPT  
4 FOR THE VIOLATION.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 5A-11(a) is amended by adding a new subdivision to read:

7 "(9a) Willful refusal by a defendant to comply with a condition of  
8 probation."

9 Sec. 2. G.S. 15A-1344 is amended by adding a new subsection to read:

10 "(e1) Criminal Contempt in Response to Violation. – If a defendant willfully  
11 violates a condition of probation, the court may hold the defendant in criminal contempt  
12 as provided in Article 1 of Chapter 5A of the General Statutes. A finding of criminal  
13 contempt by the court shall not revoke the probation."

14 Sec. 3. G.S. 15A-1343.2(g) is repealed.

15 Sec. 4. This act becomes effective May 1, 1994, and applies to defendants  
16 sentenced on or after that date.