

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

HOUSE BILL 284
RATIFIED BILL

AN ACT TO CLARIFY THAT IMPOSITION OF A FINE IS NOT AN ALLOWABLE SANCTION FOR CIVIL CONTEMPT AND TO PERMIT EXCUSED JURY DUTY FOR STUDENTS ATTENDING POSTSECONDARY SCHOOLS OUT OF STATE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 5A-21 is amended by adding a new subsection to read:

"(d) A person who is found in civil contempt under this Article is not subject to the imposition of a fine."

SECTION 2. G.S. 9-6 reads as rewritten:

"§ 9-6. Jury service a public duty; excuses to be allowed in exceptional cases; procedure.

...
(b1) A prospective juror who is summoned for jury service in a session of court scheduled during a period of time when the prospective juror is taking classes or exams as a full-time student enrolled at an out-of-state postsecondary public or private educational institution, including any out-of-state trade or professional institution, college, or university, shall be excused from jury service upon request made pursuant to G.S. 9-6.1(a) and supported by documentation showing enrollment at the out-of-state educational institution.

(c) A prospective juror excused by a judge in the exercise of the discretion conferred by subsection (b) of this section or excused pursuant to subsection (b1) of this section may be required by the judge to serve as a juror in a subsequent session of court. If required to serve subsequently, the juror shall be considered on such occasion the same as if he were a member of the panel regularly summoned for jury service at that time.

...."

SECTION 3. G.S. 9-6.1 reads as rewritten:

"§ 9-6.1. Requests to be excused.

(a) Any person summoned as a juror who is a full-time student and who wishes to be excused pursuant to G.S. 9-6.1(b1) or who is 72 years or older and who wishes to be excused, deferred, or ~~exempted~~ exempted, may make the request without appearing in person by filing a signed statement of the ground of the request with the chief district court judge of that district, or the district court judge or trial court administrator designated by the chief district court judge pursuant to G.S. 9-6(b), at any time five business days before the date upon which the person is summoned to appear.

...."

SECTION 4. The Administrative Office of the Courts, in consultation with the North Carolina Conference of Clerks of Superior Court, shall study excusals from jury service. It shall consider all of the current exemptions from jury service and examine whether or not excusals should be granted for prospective jurors who are on work assignment outside the State of North Carolina. The Administrative Office of the Courts shall report its findings and any recommendations to the Joint Legislative Oversight Committee on Justice and Public Safety and the General Assembly upon the convening of the 2016 Regular Session of the 2015 General Assembly.



SECTION 5. Section 1 of this act becomes effective October 1, 2015, and applies to civil contempt orders entered on or after that date. Sections 2 and 3 of this act become effective when this act becomes law and apply to requests for excusal from jury service made on or after that date. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 4th day of August, 2015.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Pat McCrory
Governor

Approved _____m. this _____ day of _____, 2015