

NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 902
HOUSE BILL 285

AN ACT TO AMEND CHAPTER 13 OF THE GENERAL STATUTES TO REQUIRE THE AUTOMATIC RESTORATION OF CITIZENSHIP TO ANY PERSON WHO HAS FORFEITED SUCH CITIZENSHIP DUE TO COMMITTING A CRIME AND HAS EITHER BEEN PARDONED OR COMPLETED HIS SENTENCE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 13 of the General Statutes of North Carolina is hereby repealed in its entirety and a new Chapter 13 is hereby enacted to read as follows:

**"Chapter 13
"Citizenship Restored**

"§ 13-1. Restoration of Citizenship. — Any person convicted of a crime, whereby the rights of citizenship are forfeited, shall have such rights restored upon compliance with one of the following conditions:

- (a) the Department of Correction at the time of release recommends restoration of citizenship;
- (b) two years have elapsed since release by the Department of Correction, including probation or parole, during which time the individual has not been convicted of a criminal offense of any state or of the Federal Government;
- (c) or upon receiving an unconditional pardon.

"§ 13-2. Procedure for Restoration. — The restoration procedure shall consist of the taking of an oath by such person before any judge of the General Court of Justice in Wake County or in the county where he resides or in which he was last convicted, to the effect that said person has complied with the provisions of G.S. 13-1, and that he will support and abide by the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith.

"§ 13-3. Assistance by Appropriate State Personnel. — The Department of Correction, the Department of Juvenile Correction, the Probation Commission, the Board of Paroles and other appropriate State and county officials shall cooperate with and assist such person in securing any information required by any judge prior to administering the oath required by this section."

Sec. 2. All laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 3. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 16th day of July, 1971.