

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 212*

Short Title: Mecklenburg/Fund Assist DAs.

(Local)

Sponsors: Senator Odom.

Referred to: Judiciary II.

March 6, 1991

A BILL TO BE ENTITLED

AN ACT TO AMEND G.S. 7A-302 AND G.S. 153A-149 TO ALLOW MECKLENBURG COUNTY TO APPROPRIATE TAX FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR A SPECIFIED PERIOD OF TIME TO SUPPORT THE CRIMINAL JUSTICE SYSTEM IN MECKLENBURG COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-302 reads as rewritten:

"§ 7A-302. Counties and municipalities responsible for physical facilities.

In each county in which a district court has been established, courtrooms and related judicial facilities (including furniture), as defined in this Subchapter, shall be provided by the county, except that courtrooms and related judicial facilities may, with the approval of the Administrative Officer of the Courts, after consultation with county and municipal authorities, be provided by a municipality in the county. To assist a county or municipality in meeting the expense of providing courtrooms and related judicial facilities, a part of the costs of court, known as the 'facilities fee,' collected for the State by the clerk of superior court, shall be remitted to the county or municipality providing the facilities.

Additionally, a county may supplement with county funds the criminal justice system within the county, which support shall include, but not be limited to, the funding of personnel. Funds for this purpose shall be paid by the county to the Administrative Office of the Courts, and the Administrative Office of the Courts shall expend the county funds as directed by the county. Personnel hired by the Administrative Office of

1 the Courts shall in all regards be employees of the State as though their positions were
2 funded by the State instead of the county."

3 Sec. 2. G.S. 153A-149(c) is amending by adding a new subdivision to read:

4 "(9a) Criminal Justice System. – To support the criminal justice system
5 within the county which shall include, but not be limited to, the
6 funding of personnel. Funds for this purpose shall be paid by the
7 county to the Administrative Office of the Courts, and the
8 Administrative Office of the Courts shall expend the county funds
9 as directed by the county. Personnel hired by the Administrative
10 Office of the Courts shall in all regards be employees of the State
11 as though their positions were funded by the State instead of the
12 county."

13 Sec. 3. This act applies only to Mecklenburg County.

14 Sec. 4. This act is effective upon ratification and expires June 30, 1993.