

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 79
Committee Substitute Favorable 3/11/15

Short Title: Contempt for 50C/Scope of Stay for Appeals.

(Public)

Sponsors:

Referred to:

February 16, 2015

A BILL TO BE ENTITLED

AN ACT AMENDING THE LAWS PERTAINING TO CIVIL NO-CONTACT ORDERS TO CLARIFY THAT A KNOWING VIOLATION OF A CIVIL NO-CONTACT ORDER IS PUNISHABLE BY CIVIL OR CRIMINAL CONTEMPT AND CLARIFYING THE SCOPE OF STAY ON PROCEEDINGS WHEN A CASE IS ON APPEAL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 50C-10 reads as rewritten:

"§ 50C-10. Violation.

A knowing violation of an order entered pursuant to this Chapter is punishable as contempt of court by civil or criminal contempt as provided in Chapter 5A of the General Statutes."

SECTION 2. G.S. 1-294 reads as rewritten:

"§ 1-294. Scope of stay; security limited for fiduciaries.

When an appeal is perfected as provided by this Article it stays all further proceedings in the court below upon the judgment appealed from, or upon the matter embraced ~~therein;~~ therein, unless otherwise provided by the Rules of Appellate Procedure; but the court below may proceed upon any other matter included in the action and not affected by the judgment appealed from. The court below may, in its discretion, dispense with or limit the security required, when the appellant is an executor, administrator, trustee, or other person acting in a fiduciary capacity. It may also limit such security to an amount not more than fifty thousand dollars (\$50,000), where it would otherwise exceed that sum."

SECTION 3. Section 1 of this act becomes effective October 1, 2015, and applies to orders entered on or after that date. The remainder of this act is effective when it becomes law.

