

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 251  
HOUSE BILL 33

AN ACT TO PROVIDE FOR THE AUTOMATIC RESTORATION OF CITIZENSHIP.

The General Assembly of North Carolina enacts:

**Section 1.** Chapter 13 of the General Statutes as the same appears in the 1971 Replacement Volume 1B is hereby amended and rewritten to read as follows:

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

- (1) The unconditional discharge of an inmate by the State Department of Correction or the North Carolina Board of Juvenile Correction, of a probationer by the State Probation Commission, or of a parolee by the Board of Paroles; or of a defendant under a suspended sentence by the Court.
- (2) The unconditional pardon of the offender.
- (3) The satisfaction by the offender of all conditions of a conditional pardon.

**"§ 13-2. Issuance and filing of certificate or order of restoration.** — The agency, department, or court having jurisdiction over the inmate, probationer, parolee or defendant at the time his rights of citizenship are restored under the provisions of G.S. 13-1(1) shall immediately issue a certificate or order in duplicate evidencing the offender's unconditional discharge and specifying the restoration of his rights of citizenship.

The original of such certificate or order shall be promptly transmitted to the Clerk of the General Court of Justice in the county where the official record of the case from which the conviction arose is filed. The Clerk shall then file the certificate or order without charge with the official record of the case.

**"§ 13-3. Issuance, service and filing of warrant of unconditional pardon.** — In the event the rights of citizenship are restored by an unconditional pardon as specified in G.S. 13-1(2), the Governor, under the provisions of G.S. 147-23, shall issue his warrant therefor specifying the restoration of rights of citizenship to the offender; and the officer to whom the Governor issues his warrant to effect the release of the offender shall deliver a copy of the warrant to the offender under the provisions of G.S. 147-25. The original warrant bearing the officer's return as specified in G.S. 147-25 shall be filed by the Clerk of the General Court of Justice without charge in the county where the official record of the case from which the conviction arose is filed.

**"§ 13-4. Endorsement of warrant, service and filing of conditional pardon.** — When the offender has satisfied all of the conditions of a conditional pardon, and his rights of citizenship have been restored under the provisions of G.S. 13-1(3), the Governor shall issue an endorsement to the original warrant which specified the conditions of the pardon. Such endorsement shall acknowledge that the offender has satisfied all of the conditions of the pardon.

The Governor shall then deliver the endorsement to the officer specified in G.S. 147-25 for service and delivery to the Clerk. Service and delivery to the Clerk and filing by the Clerk shall be done in accordance with the provisions of G.S. 13-3 so that the endorsement reflecting

satisfaction of all conditions of the pardon will be served and recorded as if it were a warrant of unconditional pardon."

**Sec. 2.** All laws and clauses of laws in conflict with the provisions of this act shall be null and void.

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

In the General Assembly read three times and ratified, this the 20th day of April, 1973.