

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 21
SENATE BILL 27

AN ACT TO AMEND G.S. 7A-66 RELATING TO THE REMOVAL OF DISTRICT ATTORNEYS SO AS TO CLARIFY THE AUTHORITY OF A SUPERIOR COURT JUDGE TO DISMISS A FRIVOLOUS REMOVAL PETITION WITHOUT CONDUCTING A HEARING AND TO EXPAND THE TIME IN WHICH THE COURT HAS TO ACT FROM 15 TO 30 DAYS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-66 as the same appears in the 1975 Cumulative Supplement to the General Statutes is hereby amended by adding a new sentence at the end of the second paragraph to read as follows:

"If the superior court judge finds that the charges if true do not constitute grounds for suspension or finds that no probable cause exists for believing that the charges are true, he shall dismiss the proceeding."

Sec. 2. G.S. 7A-66 as the same appears in the 1975 Cumulative Supplement to the General Statutes is hereby further amended by deleting in line 18 and line 20 the figure "15" and inserting in lieu thereof the figure "30".

Sec. 3. All laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 4. This act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, 1977.