

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 557
SENATE BILL 658

AN ACT TO REWRITE G.S. 15A-773 TO PROVIDE FOR SERVICE OF CRIMINAL
PROCESS UPON UNINCORPORATED ASSOCIATIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-773 is rewritten to read as follows:

"§ 15A-773. Securing attendance of organizations; appearance. — (a) The court attendance of an organization for purposes of commencing or prosecuting a criminal action against it may be accomplished by:

- (1) issuance and service of a criminal summons; or
- (2) issuance of an information and waiver of indictment by an authorized officer or agent of the organization and by counsel for the organization, as provided in G.S. 15A-642(c); or
- (3) service of the notice of the indictment, as provided in G.S. 15A-630.

The criminal summons or notice of indictment must be directed to the organization, and must be served by delivery to an officer, director, managing or general agent, cashier or assistant cashier of the organization, or to any other agent of the organization authorized by appointment or by law to receive service of process.

(b) At all stages of a criminal action, an organization may appear by counsel or agent having authority to transact the business of the organization.

(c) For purposes of this section, 'organization' means corporation, unincorporated association, partnership, body politic, consortium, or other group, entity, or organization."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 13th day of June, 1977.