

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 409
SENATE BILL 406

AN ACT TO AMEND G.S. 15A-603 TO REQUIRE THE JUDGE AT A PRELIMINARY HEARING TO ADVISE AN INDIGENT DEFENDANT THAT IF HE IS CONVICTED AND PLACED ON PROBATION HE MAY BECOME LIABLE FOR COSTS OF ASSIGNED COUNSEL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-603(b) is amended by adding the following at the end thereof: "The judge shall also advise the defendant that if he is convicted and placed on probation, payment of the expense of counsel assigned to represent him may be made a condition of probation, and that if he is acquitted, he will have no obligation to pay the expense of assigned counsel."

Sec. 2. G.S. 7A-450 is amended by adding a new subsection (d) to read as follows:

"(d) If, at any stage in the action or proceeding, a person previously determined to be indigent becomes financially able to secure legal representation and provide other necessary expenses of representation, he must inform the counsel appointed by the court to represent him of that fact. In such a case, that information is not included in the attorney client privilege, and counsel must promptly inform the court of that information."

Sec. 3. This act shall become effective October 1, 1981.

In the General Assembly read three times and ratified, this the 18th day of May, 1981.