

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 840
HOUSE BILL 122

AN ACT TO REQUIRE FORFEITURE OF ANY GAIN RESULTING FROM A FELONY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-2.3. Forfeiture of gain acquired through felonies. — (a) Except as is otherwise provided in Article 3 of Chapter 31A, in the case of any violation of a general statute constituting a felony other than a nonwillful homicide, any money or other property or interest in property acquired thereby shall be forfeited to the State of North Carolina, including any profits, gain, remuneration, or compensation directly or indirectly collected by or accruing to any felon.

(b) An action to recover such property shall be brought by either a District Attorney or the Attorney General pursuant to G.S. 1-532. The action must be brought within three years from the date of the conviction for the felony.

(c) Nothing in this section shall be construed to require forfeiture of any money or property recovered by law enforcement officers pursuant to the investigation of a felony when the money or property is readily identifiable by the owner or guardian of the property or is traceable to him."

Sec. 2. This act shall become effective October 1, 1981, and shall apply to all felonies committed on or after that date.

In the General Assembly read three times and ratified, this the 7th day of July, 1981.