

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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SENATE BILL 574

Short Title: Appearance Bond Valid For Certain Time Period. (Public)

Sponsors: Senator Randleman (Primary Sponsor).

Referred to: Judiciary II.

April 2, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT AN APPEARANCE BOND FOR A DEFENDANT
3 CHARGED WITH CERTAIN MISDEMEANORS IS ONLY VALID FOR A CERTAIN
4 PERIOD OF TIME.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 15A-534(h) reads as rewritten:

7 "(h) A bail bond posted pursuant to this section is effective and binding upon the obligor
8 throughout all stages of the proceeding in the trial division of the General Court of Justice until
9 the entry of judgment in the district court from which no appeal is taken or the entry of
10 judgment in the superior court. The obligation of an obligor, however, is automatically
11 terminated at an earlier time if:

- 12 (1) A judge authorized to do so releases the obligor from his bond; or
13 (2) The principal is surrendered by a surety in accordance with G.S. 15A-540; or
14 (3) The proceeding is terminated by voluntary dismissal by the State before
15 forfeiture is ordered under G.S. 15A-544.3; or
16 (4) Prayer for judgment has been continued indefinitely in the district
17 ~~court~~.court; or
18 (5) Thirty-six months have passed from the date of release on a bail bond where
19 the defendant is charged with a misdemeanor, except for an offense
20 involving impaired driving, as defined in G.S. 20-4.01(24a). When the
21 obligation automatically terminates for the obligor under this subdivision,
22 the judicial official shall determine whether the defendant is again entitled to
23 release and, if so, upon what conditions."

24 **SECTION 2.** This act becomes effective December 1, 2013, and applies to bail
25 bonds executed before, on, or after that date.

