

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

H

1

HOUSE BILL 1173

Short Title: Absconding Prob. Violators Forfeit Benefits. (Public)

Sponsors: Representatives LaRoque and Saine (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Judiciary Subcommittee C, if favorable, Finance.

May 30, 2012

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR
2 OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A
3 WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL
4 SURRENDERING TO THE COURT.
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 15A-1345 is amended by adding a new subsection to read:

8 "(a1) Suspension of Public Assistance Benefits for Probation Violators Who Avoid
9 Arrest. – The court may order the suspension of any public assistance benefits that are being
10 received by a probationer for whom the court has issued an order for arrest for violation of the
11 conditions of probation but who is absconding or otherwise willfully avoiding arrest. The
12 suspension of benefits shall continue until such time as the probationer surrenders to the
13 jurisdiction of the court. For purposes of this section, the term "public assistance benefits"
14 includes unemployment benefits, Medicaid or other medical assistance benefits, Work First
15 Family Assistance, food and nutrition benefits, any other programs of public assistance under
16 Article 2 of Chapter 108A of the General Statutes, and any other financial assistance of any
17 kind being paid to the probationer from State or federal funds."

18 **SECTION 2.** The Division of Social Services and the Division of Medical
19 Assistance of the Department of Health and Human Services and the Division of Employment
20 Security of the Department of Commerce shall adopt rules for the provision of assistance by
21 those divisions to local law enforcement in the enforcement of this act.

22 **SECTION 3.** This act is effective when it becomes law.

