

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 1130
SENATE BILL 833

1 AN ACT TO AMEND CHAPTER 462, SESSION LAWS OF 1969, RELATING TO THE
2 CONFINEMENT OF PRISONERS WHEN JAIL FACILITIES ARE INSUFFICIENT.

3
4 The General Assembly of North Carolina do enact:

5
6 **Section 1.** Chapter 462, Session Laws of 1969, is hereby amended by adding a new
7 paragraph at the end of Section 1 thereof, to read as follows:

8 "When, due to an emergency, it is not feasible to obtain from a judge of superior court a
9 prior order of transfer, the sheriff of the county and the Department of Correction may exercise
10 the authority hereinafter conferred; Provided, however, that the sheriff shall, as soon as possible
11 after the emergency, obtain an order from the judge authorizing the prisoners to be held in the
12 designated place of confinement for such period as the judge may direct. All provisions of this
13 section shall be applicable to municipalities whenever prisoners are arrested in such numbers
14 that the municipal jail facilities and the county jail facilities are insufficient and inadequate for
15 the safe-keeping of the prisoners. The chief of police is hereby authorized to exercise the
16 authority herein conferred upon the sheriff, and the cost of transporting and maintaining the
17 prisoners shall be paid by the municipality unless action is taken by the Governor and Council
18 of State as herein provided for counties which are unable to pay such costs."

19 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

20 **Sec. 3.** This Act shall be in full force and effect from and after its ratification.

21 In the General Assembly read three times and ratified, this the 30th day of June,
22 1969.