

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1042*

Short Title: Publication of Appellate Decisions.

(Public)

Sponsors: Representative Black.

Referred to: Judiciary I, if favorable, Appropriations.

April 21, 1997

A BILL TO BE ENTITLED

AN ACT TO PROVIDE PARTIES WITH THE RIGHT TO THE PUBLICATION OF ANY OPINION ISSUED BY THE COURT OF APPEALS.

The General Assembly of North Carolina enacts:

Section 1. Article 2 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"§ 7A-6.1. Right to publication of Court of Appeals opinions.

When a case is decided by the Court of Appeals without publication of an opinion under Rule 30(e) of the Rules of Appellate Procedure, either party may, within 30 days of the issuance of the court's decision, pay to the Judicial Department an amount equal to the cost of publication and providing storage for the publishing of the opinion, and the court's opinion shall be published and treated in all respects as a published opinion. The amount paid to the Judicial Department shall be set by the Judicial Department based upon a methodology developed by the Department for reflecting the actual cost of publication and storage of additional opinions, and may not exceed the sum of five hundred dollars (\$500.00)."

Section 2. This act is effective when it becomes law and applies to decisions issued on or after that date.