

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 1007
HOUSE BILL 934

1 AN ACT TO PROVIDE FOR PAYMENT OF ATTORNEY'S FEES INCURRED BY STATE
2 EMPLOYEES IN DEFENDING SUITS ARISING FROM ACTIVITIES OF SUCH
3 EMPLOYEES IN THE COURSE AND SCOPE OF THEIR EMPLOYMENT FOR THE
4 STATE.

5
6 The General Assembly of North Carolina do enact:

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8 **Section 1.** G.S. 147-17 is amended by adding at the end thereof a new paragraph to
9 read as follows:

10 "Whenever it shall be made to appear to the Attorney General that a civil action has been
11 commenced against an employee of the State of North Carolina alleging the negligence of said
12 employee as a proximate cause of injuries received by the plaintiff, and the Attorney General
13 shall, upon investigation, determine that the employee at the time of his alleged negligence was
14 acting in the course and scope of his employment as a State employee, the Attorney General
15 shall advise the Governor whether, in his opinion, the defense of such suit by the employee will
16 require the payment of attorney's fees, and shall recommend to the Governor whether counsel
17 should be employed by the employee at State expense to conduct the defense of the employee
18 in such suit. Upon the recommendation of the Attorney General, the Governor may authorize
19 the employment of such counsel, and may direct payment for such services by counsel in the
20 manner hereinabove set forth."

21 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

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

23 In the General Assembly read three times and ratified, this the 17th day of June,
24 1961.