

NORTH CAROLINA GENERAL ASSEMBLY
1975 SESSION

CHAPTER 662
SENATE BILL 823

AN ACT TO AMEND CHAPTER 132 OF THE GENERAL STATUTES OF NORTH CAROLINA TO EXCLUDE ATTORNEY-CLIENT COMMUNICATIONS TO PUBLIC BOARDS AND AGENCIES FROM THE APPLICATION OF THE CHAPTER.

The General Assembly of North Carolina enacts:

Section 1. Chapter 132 of the General Statutes of North Carolina as the same appears in the 1974 Replacement Volume 3B is amended by adding thereto a new section to be inserted immediately following G.S. 132-1 reading as follows:

"§ 132-1.1. Confidential communications by legal counsel to public board or agency; not public records. — Public records, as defined in G.S. 132-1, shall not include written communications (and copies thereof) to any public board, council, commission or other governmental body of the State or of any county, municipality or other political subdivision or unit of government, made within the scope of the attorney-client relationship by any attorney at law serving any such governmental body, concerning any claim against or on behalf of the governmental body or the governmental entity for which such body acts, or concerning the prosecution, defense, settlement or litigation of any judicial action, or any administrative or other type of proceeding to which the governmental body is a party or by which it is or may be directly affected. Such written communication and copies thereof shall not be open to public inspection, examination or copying unless specifically made public by the governmental body receiving such written communications; provided, however, that such written communications and copies thereof shall become public records as defined in G.S. 132-1 three years from the date such communication was received by such public board, council, commission or other governmental body."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 18th day of June, 1975.