

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE BILL 1643

Short Title: Community College Subpoena & Contempt Powers. (Public)

Sponsors: Representatives Bryant; Tolson and Wray.

Referred to: Education, if favorable, Judiciary III.

April 19, 2007

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING COMMUNITY COLLEGE BOARDS TO EXERCISE
3 CERTAIN JUDICIAL FUNCTIONS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115D-20 is amended by adding a new subdivision to
6 read:

7 "**§ 115D-20. Powers and duties of trustees.**

8 The trustees of each institution shall constitute the local administrative board of such
9 institution, with such powers and duties as are provided in this Chapter and as are
10 delegated to it by the State Board of Community Colleges. The powers and duties of
11 trustees shall include the following:

12 ...

13 (14) To exercise certain judicial functions.

14 a. The board of trustees may issue subpoenas in any and all
15 matters that come within its powers and that, in its discretion,
16 require investigation. The board may issue subpoenas for the
17 attendance of witnesses and the production of documents or
18 other paper writings. The sheriff or any process serving officer
19 shall serve any such subpoena upon payment of the lawful fees.

20 Any witness who willfully and without legal excuse fails to
21 appear as subpoenaed to testify or produce documents or other
22 paper writings as subpoenaed in any manner under investigation
23 by the board shall be guilty of a Class 3 misdemeanor.

24 b. The board may punish for contempt for any disorderly conduct
25 or disturbance tending to disrupt it in the transaction of official
26 business."

27 SECTION 2. This act becomes effective October 1, 2007.