



CHAPTER 114
ARTICLE 1 - ATTORNEY GENERAL

N.C.G.S. § 114-2.3.

Use of private counsel limited.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2024-57, s. 3D.1(i) — sixth act in the lineage	RETRIEVED 21 September 2026, 02:51 UTC	SOURCE FINGERPRINT 1fc7b6c2129ccb4057338c9d - eaf2e1fcf86e3f7b45e3dee6 - 14bdb8e868c1cd540
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- § 114-2.3(a)

Every agency, institution, department, bureau, board, or commission of the State, authorized by law to retain private counsel, shall obtain written permission from the Attorney General prior to employing private counsel. This section does not apply to counties, cities, towns, other municipal corporations or political subdivisions of the State, or any agencies of these municipal corporations or political subdivisions, or to county or city boards of education. This subsection does not apply to the Judicial Department or an agency that is under the control of an official who is a member of the Council of State.
- § 114-2.3(b)

Article 2A of this Chapter applies to any contract to retain private counsel authorized by the Attorney General under this section.
- § 114-2.3(c)

Except as provided in G.S. 147-17, the Attorney General shall represent the State in any action requiring the State to be a party under G.S. 1-72.3.
- § 114-2.3(d)

No State funds shall be withdrawn from the State treasury to pay for litigation services provided by private counsel except as expressly authorized by an appropriation of the General Assembly. As used in this subsection, litigation services include legal work conducted in anticipation of, or in preparation for, any suit or action. As used in this section, private counsel includes any licensed attorney retained by, engaged by, or otherwise representing a department, officer, agency, institution, commission, bureau, or other organized activity of the State but does not include a licensed attorney who holds a permanent budgeted position in either the Department of Justice or

the applicable department, officer, agency, institution, commission, bureau, or other organized activity of the State.

§ 114-2.3(e)

The Attorney General shall report to the Joint Legislative Commission on Governmental Operations by January 1 and July 1 of each year on all contracts or engagement letters entered into by the Attorney General with private counsel to assist with any of the statutory duties of the Attorney General. The report shall disclose the amount of State funds expended under each such contract or engagement letter and a description of the legal assistance provided by private counsel.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
6 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1985	2005		2024
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1985	c. 479, s. 135	ENACTED
02	2014	S.L. 2014-110, s. 1.2	AMENDED
03	2016	S.L. 2016-109, s. 2(b)	AMENDED
04	2017	S.L. 2017-57, s. 6.7(b)	AMENDED
05	2021	S.L. 2021-180, s. 16.10(c)	AMENDED
06	2024	S.L. 2024-57, s. 3D.1(i)	AMENDED

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 147-17	(c)	"Except as provided in"
G.S. 1-72.3	(c)	"State to be a party under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 114-2.3 (2024).

PINPOINT

N.C. Gen. Stat. § 114-2.3(a) (2024).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1985, c. 479, s. 135; 2014-110, s. 1.2; 2016-109, s. 2(b); 2017-57, s. 6.7(b); 2021-180, s. 16.10(c); 2024-57, s. 3D.1(i).)

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