



CHAPTER 114
ARTICLE 1 - ATTORNEY GENERAL

N.C.G.S. § 114-2.

Duties.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT No amendment history on record	RETRIEVED 21 September 2026, 03:28 UTC	SOURCE FINGERPRINT 6da88956b47563f2ab1cf2ab - 137ea94239f354316bca2616 - 09156965f044eba6
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Pursuant to Section 7(2) of Article III of the North Carolina Constitution, it shall be the duty of the Attorney General:

To defend all actions in the appellate division in which the State shall be interested, or a party, and to appear for the State in any other court or tribunal in any cause or matter, civil or criminal, in which the State may be a party or interested, subject to the provisions set forth in G.S. 1-72.2 and G.S. 120-32.6. The duty to represent the State in criminal appeals shall not be delegated to any district attorney's office or any other entity.

To represent all State departments, agencies, institutions, commissions, bureaus or other organized activities of the State which receive support in whole or in part from the State. Where the Attorney General represents a State department, agency, institution, commission, bureau, or other organized activity of the State which receives support in whole or in part from the State, the Attorney General shall act in conformance with Rule 1.2 of the Rules of Professional Conduct of the North Carolina State Bar.

Repealed by Session Laws 1973, c. 702, s. 2.

To consult with and advise the prosecutors, when requested by them, in all matters pertaining to the duties of their office.

To give, when required, his opinion upon all questions of law submitted to him by the General Assembly, or by either branch thereof, or by the Governor, Auditor, Treasurer, or any other State officer.

To pay all moneys received for debts due or penalties to the State immediately after the receipt thereof into the treasury.

To compare the warrants drawn on the State treasury with the laws under which they purport to be drawn.

Repealed by Session Laws 2024-57, s. 3D.1(h), effective December 11, 2024.

To notify the Speaker of the House of Representatives and the President Pro Tempore of the Senate whenever an action is filed in State or federal court that challenges the validity of a North Carolina statute or provision of the North Carolina Constitution under State or federal law.

Pursuant to G.S. 120-32.6, to represent upon request and otherwise abide by and defer to the final decision-making authority exercised by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, as agents of the State through the General Assembly, in defending any State or federal action challenging the validity or constitutionality of an act of the General Assembly or a provision of the North Carolina Constitution. If for any reason the Attorney General cannot perform the duty specified herein, the Attorney General may recuse personally from such defense but shall appoint another attorney employed by the Department of Justice to act at the direction of the Speaker of the House of Representatives and the President Pro Tempore of the Senate. (1868-9, c. 270, s. 82; 1871-2, c. 112, s. 2; Code, s. 3363; 1893, c. 379; 1901, c. 744; Rev., s. 5380; C.S., s. 7694; 1931, c. 243, s. 5; 1933, c. 134, s. 8; 1941, c. 97; 1967, c. 691, s. 51; 1969, c. 535; 1973, c. 702, s. 2; 1977, c. 468, s. 17; 1979, c. 107, s. 9; 1983, c. 913, s. 15; 2014-100, s. 17.3A(b); 2017-57, s. 6.7(m); 2017-212, s. 5.2(a); 2024-57, s. 3D.1(h).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

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. 1-72.2	(null)(1)	"to the provisions set forth in"
G.S. 120-32.6	(null)(1)	"set forth in G.S. 1-72.2 and"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 114-2 (2026).

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

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