



CHAPTER 122C

ARTICLE 5 - PROCEDURES FOR ADMISSION AND DISCHARGE OF CLIENTS

N.C.G.S. § 122C-301.

Assistance to an individual who is intoxicated in public; procedure for commitment to shelter or facility.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 589, s. 2 — third act in the lineage	21 September 2026, 03:38 UTC	f9d9a936336d8076c1a2f023 - 527e8ab963de1b06e6402146 - e66457c4ffabf246

§ 122C-301(a) An officer may assist an individual found intoxicated in a public place by taking any of the following actions:

- (1) The officer may direct or transport the intoxicated individual home;
- (2) The officer may direct or transport the intoxicated individual to the residence of another individual willing to accept him;
- (3) If the intoxicated individual is apparently in need of and apparently unable to provide for himself food, clothing, or shelter but is not apparently in need of immediate medical care, the officer may direct or transport him to an appropriate public or private shelter facility;
- (4) If the intoxicated individual is apparently in need of but apparently unable to provide for himself immediate medical care, the officer may direct or transport him to an area facility, hospital, or physician's office; or the officer may direct or transport the individual to any other appropriate health care facility; or
- (5) If the intoxicated individual is apparently a substance abuser and is apparently dangerous to himself or others, the officer may proceed as provided in Part 8 of this Article.

§ 122C-301(b) In providing the assistance authorized by subsection (a) of this section, the officer may use reasonable force to restrain the intoxicated individual if it appears necessary to

protect himself, the intoxicated individual, or others. No officer may be held criminally or civilly liable for assault, false imprisonment, or other torts or crimes on account of reasonable measures taken under authority of this Part.

§ 122C-301(c) If the officer takes the action described in either subdivision (a)(3) or (a)(4) of this section, the facility to which the intoxicated individual is taken may detain him only until he becomes sober or a maximum of 24 hours. The individual may stay a longer period if he wishes to do so and the facility is able to accommodate him.

§ 122C-301(d) Any individual who has knowledge that a person assisted to a shelter or other facility under subdivisions (a)(3) or (a)(4) of this section is a substance abuser and is dangerous to himself or others may proceed as provided in Part 8 of this Article.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
3 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.

	1977		1981		1985
	TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT				
Nº	YEAR	ACT		CHARACTER	
01	1977	2nd Sess., c. 1134, s. 2		ENACTED	
02	1981	c. 519, s. 5		AMENDED	
03	1985	c. 589, s. 2		AMENDED	

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 122C-301 (1985).

PINPOINT

N.C. Gen. Stat. § 122C-301(a) (1985).

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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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1977, 2nd Sess., c. 1134, s. 2; 1981, c. 519, s. 5; 1985, c. 589, s. 2.)

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