



CHAPTER 15A
ARTICLE 81C - RESTITUTION

N.C.G.S. § 15A-1340.39.

Remission of restitution, notice, and hearing required.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 03:44 UTC	3dadfa08d26d4041af7a866b - e28d3052d05781f221fafe29 - 0cb56396bfd73c37

- § 15A-1340.39(a)

Notice and Hearing Required. - No court may remit all or part of an order of restitution entered pursuant to G.S. 15A-1340.34 without providing notice and an opportunity to be heard to the district attorney and the victim, victim's estate, or any other entity to which the order directs restitution to be paid. The court shall provide notice to the district attorney and the victim, the victim's estate, or other entity of (i) the date and time of the hearing and (ii) the right to be heard and make an objection to the remission of all or part of the order of restitution, at least 15 days prior to hearing. Notice shall be made to the victim, victim's estate, or other entity by first-class mail to the address provided for receipt of funds paid pursuant to the order of restitution.
- § 15A-1340.39(b)

Ruling; Criteria. - If the court finds that the remission of the order is warranted and serves the interests of justice, the court may remit the order of restitution.
- § 15A-1340.39(c)

Civil Action Not Abridged. - The remission of an order of restitution, pursuant to this section, does not abridge the right of a victim or the victim's estate to bring a civil action against the defendant for damages arising out of the offense committed by the defendant. (2017-16, s. 1.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
1 AUTHORITY

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. 15A-1340.34	(a)	<i>"order of restitution entered pursuant to"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1340.39 (2026).

PINPOINT

N.C. Gen. Stat. § 15A-1340.39(a) (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.

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