

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 29\*

Short Title: Juv. Commitment/18.

(Public)

Sponsors: Representatives G. Miller; Alphin, Baddour, Black, Bowman, Church, Cole, Crawford, Cromer, Culp, Diamont, Dickson, Gardner, Gottovi, Hall, Hightower, Hill, Hunt, R. Hunter, Ives, Jarrell, Jeffus, Jenkins, Joye, Lemmond, Lutz, Mavretic, McCombs, McCrary, McLawhorn, Mercer, Mitchell, Moore, Mosley, Nichols, C. Preston, Ramsey, Redwine, Robinson, Russell, Smith, Spears, Stewart, Sutton, Warner, Wilkins, Wilmoth, Wood, Wright, and Yongue.

Referred to: Judiciary III.

February 8, 1994

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR COMMITMENT OF JUVENILES ADJUDICATED DELINQUENT FOR CERTAIN FELONIES OFFENSES TO AGE EIGHTEEN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-652(b) reads as rewritten:

"(b) Commitment for an offense other than one that would be a Class A, B, C, D, or E felony if committed by an adult shall be for:

(1) An indefinite term not to exceed the eighteenth birthday of the juvenile; or

(2) A definite term not to exceed two years if the judge finds that the juvenile is 14 years of age or older, has been previously adjudicated delinquent for two or more felony offenses, and has been previously committed to a residential facility operated by the Division of Youth Services. The Division may reduce the duration of the definite commitment by an amount not to exceed twenty-five percent (25%) if the juvenile has not committed any major infractions of the regulations of any facility to which he is assigned, and the Division of Youth Services may move for a reduction of more than twenty-five percent (25%) pursuant to G.S. 7A-664.

1        A juvenile who has been adjudicated delinquent for an offense that would be a Class  
2 A, B, C, D, or E felony if committed by an adult shall not be released before the  
3 juvenile's eighteenth birthday."

4                Sec. 2. This act becomes effective upon ratification and applies to any  
5 offense committed on or after that date.