

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH30274-LT-10 (1/17)

Short Title: Juvenile Code Revisions.

(Public)

Sponsors: Representative Dickson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REVISE THE JUVENILE CODE WITH REGARD TO SECURE
CUSTODY ORDERS, DELINQUENCY HISTORY LEVELS, AND
DISPOSITIONAL LIMITS OF DELINQUENT JUVENILES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7B-1903(d) reads as rewritten:

"(d) The court may order secure custody for a juvenile who is alleged to have substantially violated the conditions of the juvenile's probation or post-release supervision, ~~but only if the juvenile is alleged to have committed acts that damage property or injure persons.~~ supervision."

SECTION 2. G.S. 7B-2507(b) reads as rewritten:

"(b) Points. – Points are assigned as follows:

- (1) For each prior adjudication of a Class A through E felony offense, 4 points.
- (2) For each prior adjudication of (i) a Class F through I felony offense or offense, (ii) a Class A1 misdemeanor offense, or (iii) an offense in violation of G.S. 14-202.2 (indecent liberties between children), G.S. 14-269 (carrying concealed weapons), or G.S. 14-269.7(a) (prohibitions on handguns for minors), 2 points.
- (3) For each prior adjudication of a Class 1, 2, or 3 misdemeanor offense, except offenses in violation of G.S. 14-202.2 (indecent liberties between children), G.S. 14-269 (carrying concealed weapons), or G.S. 14-269.7(a) (prohibitions on handguns for minors), 1 point.
- (4) If the juvenile was on probation at the time of offense, 2 points."

SECTION 3. G.S. 7B-2508(a) reads as rewritten:

"(a) Offense Classification. – The offense classifications are as follows:

- (1) Violent – Adjudication of a Class A through E felony offense;

- 1 (2) Serious – Adjudication of ~~(i) a Class F through I felony offense or~~
2 offense, (ii) a Class A1 misdemeanor; misdemeanor, or (iii) an offense
3 in violation of G.S. 14-202.2 (indecent liberties between children),
4 G.S. 14-269 (carrying concealed weapons), or G.S. 14-269.7(a)
5 (prohibitions on handguns for minors);
6 (3) Minor – Adjudication of a Class 1, 2, or 3 ~~misdemeanor; misdemeanor,~~
7 except offenses in violation of G.S. 14-202.2 (indecent liberties
8 between children), G.S. 14-269 (carrying concealed weapons), or
9 G.S. 14-269.7(a) (prohibitions on handguns for minors)."

10 **SECTION 4.** G.S. 7B-2510(e) reads as rewritten:

11 "(e) If the court, after notice and a hearing, finds by the greater weight of the
12 evidence that the juvenile has violated the conditions of probation set by the court, the
13 court may continue the original conditions of probation, modify the conditions of
14 probation, or, except as provided in subsection (f) of this section, order a new
15 disposition at the next higher level on the disposition chart in G.S. 7B-2508. In the
16 court's discretion, ~~part of the new disposition~~ if the juvenile's disposition is not raised to
17 a higher level of disposition, the court may include an order of confinement in a secure
18 juvenile detention facility for up to twice the term authorized by G.S. 7B-2508.
19 G.S. 7B-2508 for the juvenile's dispositional level."

20 **SECTION 5.** G.S. 7B-1501 is amended by adding a new subdivision to read:

21 "(21a) Prior adjudication. – Any adjudication that occurred before the current
22 date of disposition which is not a part of some related transaction for
23 the current offense."

24 **SECTION 6.** This act becomes effective December 1, 2007, and applies to
25 offenses committed on or after that date.