

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 860
SENATE BILL 841

AN ACT TO AMEND G.S. 15A-1002(a) SO AS TO REQUIRE SPECIFICITY IN MOTIONS
QUESTIONING THE CAPACITY OF A CRIMINAL DEFENDANT TO PROCEED.

The General Assembly of North Carolina enacts:

Section 1. North Carolina General Statute 15A-1002(a) is hereby amended and rewritten to read as follows:

"(a) The question of the capacity of the defendant to proceed may be raised at any time on motion by the prosecutor, the defendant, the defense counsel, or the court. The motion shall detail the specific conduct that leads the moving party to question the defendant's capacity to proceed."

Sec. 2. This act shall become effective October 1, 1977.

In the General Assembly read three times and ratified, this the 30th day of June, 1977.