

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 531
HOUSE BILL 838

AN ACT TO ADD NONVIOLENT OFFENDERS IN THE TWENTY-ONE TO TWENTY- FOUR AGE GROUP TO THE COMMITTED YOUTHFUL OFFENDER LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 148-49.11 is rewritten to read as follows:

"§ 148-49.11. Definitions. – As used in this Article, a 'youthful offender' is a person under twenty-one (21) years of age in the custody of the Secretary of Correction or a person under twenty-five (25) years of age who is in the custody of the Secretary of Correction but who has not been convicted of a violent or a Class A, B, C, D, E, F, or G felony. A 'committed youthful offender' is a youthful offender who shall have the benefit of early release under the provisions of G.S. 148-49.15. All rights accrued by persons prior to October 1, 1977, shall not be affected."

Sec. 2. G.S. 148-49.12(a) is amended by deleting the first sentence and replacing it with the following two sentences:

"To the extent practicable in light of the needs of the youthful offenders and of the needs and resources of the prison system, the Secretary of Correction shall house youthful offenders under twenty-one (21) years of age in facilities separate from prisoners more than twenty-one (21) years of age. Those youthful offenders more than twenty-one (21) years of age shall be housed in accordance with policies established by the Secretary of Correction."

Sec. 3. G.S. 148-49.14 is amended by adding the following sentence between the first and second sentences of the section:

"When a person under twenty-five (25) years of age is convicted of a crime punishable by imprisonment but which is not a Class A, B, C, D, E, F, or G felony, or a violent crime, and the court does not suspend the imposition or execution of sentence and place him on probation, the court may sentence such a person to the custody of the Secretary of Correction as a committed youthful offender." and is further amended by substituting the number "twenty-five (25)" for the number "twenty-one (21)" where it appears in the last sentence of the section.

Sec. 4. This act shall become effective July 1, 1983, and applies to persons convicted of crimes committed on or after that date.

In the General Assembly read three times and ratified, this the 15th day of June, 1983.