

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 571
HOUSE BILL 384

AN ACT TO MAKE PERMANENT THE 120-DAY SPEEDY TRIAL LAW
REQUIREMENT AND TO MAKE OTHER CHANGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-701(a) is repealed and the first paragraph of G.S. 15A-701(a1) is rewritten to read as follows:

"(a1) The trial of a defendant charged with a criminal offense shall begin within the time limits specified below:".

Sec. 2. Section 12 of Chapter 626 of the Session Laws of 1981 is rewritten to read as follows:

"Sec. 12. This act shall become effective upon ratification."

Sec. 3. G.S. 15A-701(b)(8) is amended by substituting a period for the semicolon at the end of the subdivision and adding the following after the period:

"A county is conclusively presumed to be a county where, due to the limited number of court sessions scheduled for the county, the applicable time limit specified by this section cannot reasonably be met, if the county has scheduled each year fewer than eight regularly scheduled criminal or mixed weekly sessions of superior court. In any other county, a determination shall be made in each case whether the applicable time limit specified by this section cannot reasonably be met due to the limited number of court sessions scheduled for that county;".

Sec. 4. G.S. 15A-702 is amended by adding a new subsection (a1) to read as follows:

"(a1) A county is conclusively presumed to be a county where, due to the limited number of court sessions scheduled for the county, the applicable time limit specified by G.S. 15A-701 has not been met, if the county has scheduled each year fewer than eight regularly scheduled criminal or mixed weekly sessions of superior court. In any other county, a determination shall be made in each case whether the applicable time limit specified by G.S. 15A-701 has not been met due to the limited number of court sessions scheduled for that county."

Sec. 5. This act shall become effective October 1, 1983.

In the General Assembly read three times and ratified, this the 21st day of June, 1983.