

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 236
Second Edition Engrossed 4/27/89
Judiciary III Senate Committee Substitute Adopted 6/28/89

Short Title: Magistrates' Plea Jur.

(Public)

Sponsors:

Referred to:

February 15, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY MAGISTRATES' GUILTY PLEA JURISDICTION, AND TO
3 PROVIDE FOR THE ADOPTION OF POLICIES GOVERNING THE ISSUANCE
4 OF ARREST WARRANTS FOR FELONIES.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 7A-273(1) reads as rewritten:

7 "(1) In misdemeanor or infraction cases, other than ~~traffic~~traffic, hunting,
8 fishing, boating, and alcohol offenses, in which the maximum
9 punishment which can be adjudged cannot exceed imprisonment for 30
10 days, or a fine of fifty dollars ~~(\$50.00),~~(\$50.00) or a penalty of not
11 more than fifty dollars (\$50.00), exclusive of costs, to accept guilty
12 pleas or admissions of responsibility and enter judgment;".

13 Sec. 2. Chapter 15A of the North Carolina General Statutes is amended by
14 adding a new section 15A-304.1 to read:

15 "**§ 15A-304.1-Policies on issuance of arrest warrants for felonies.**

16 The senior regular resident superior court judge for a district or set of districts, after
17 consulting with the chief district court judge serving the district or set of districts, may
18 adopt a policy requiring that an arrest warrant for a felony offense may not be issued by
19 a magistrate or clerk unless the alleged offense is first investigated by a law
20 enforcement agency with territorial and subject matter jurisdiction to investigate such an
21 alleged offense."

22 Sec. 3. This act shall become effective October 1, 1989.