

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 430

Short Title: Juv. Transfer to Sup. Ct. Change.

(Public)

Sponsors: Senators Allran, Hartsell; Forrester, Gunter, Carpenter, Codington, and Blackmon.

Referred to: Judiciary I.

March 1, 1993

A BILL TO BE ENTITLED

AN ACT RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION TO AMEND THE LAW REGARDING THE TRANSFER OF JURISDICTION OVER A JUVENILE TO SUPERIOR COURT FOR TRIAL AS AN ADULT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-608 reads as rewritten:

"§ 7A-608. Transfer of jurisdiction of juvenile to superior court.

The court after notice, hearing, and a finding of probable cause may transfer jurisdiction over a juvenile 14 years of age or older to superior court if the juvenile was 14 years of age or older at the time he allegedly committed an offense which would be a felony if committed by an adult. If the alleged felony constitutes a Class A felony and the judge finds probable cause, the judge shall transfer the case to the superior court for trial as in the case of adults. If the alleged felony constitutes a Class B or Class C felony and if the judge finds probable cause, the judge shall transfer the case to superior court for trial as in the case of adults unless the judge makes a written finding that the interests of the State would not be served by the transfer and the reasons for this finding."

Sec. 2. This act becomes effective October 1, 1993, and applies to offenses committed on and after that date.