

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE DRS85283-LT-126A* (5/3)

Short Title: Youthful Offender Study. (Public)

Sponsors: Senator Kinnaird.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO
STUDY ISSUES RELATED TO THE CONVICTION AND SENTENCING OF
YOUTHFUL OFFENDERS AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

SECTION 1. The Legislative Research Commission may study issues related to the conviction and sentencing of persons who (i) are between the ages of and 16 and 18 years, or youthful offenders, (ii) have been convicted of nonviolent felony offenses, and (iii) have no prior convictions. The purpose of the study shall be to establish a program or system by which youthful offenders with no prior convictions may either maintain or reestablish a sealed, expunged, or reduced criminal record. During the course of the study, the Commission may review the relevant North Carolina laws and programs, including the law regarding conditional discharge and expunction of records for first offenses under G.S. 90-96, deferred prosecution under G.S. 15A-1341, and the first offenders programs. The Commission may also review the youthful offender acts of New York and Georgia and other programs for youthful offenders, including pretrial intervention programs, which have been proven effective.

SECTION 2. The Legislative Research Commission shall report the results of this study, including any recommended legislation, to the 2005 General Assembly.

SECTION 3. There is appropriated from the General Fund to the General Assembly the sum of twenty thousand dollars (\$20,000) for the 2004-2005 fiscal year to implement the provisions of this act.

SECTION 4. This act becomes effective July 1, 2004.