

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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SENATE BILL 1196*

Short Title: Youthful Offender Study. (Public)

Sponsors: Senators Kinnaird; Clodfelter, Dannelly, Dorsett, Garrou, Hartsell, Hunt, Lucas, Malone, Purcell, Rand, Reeves, Shaw, and Soles.

Referred to: Rules and Operations of the Senate.

May 20, 2004

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO
2 STUDY ISSUES RELATED TO THE CONVICTION AND SENTENCING OF
3 YOUTHFUL OFFENDERS AND TO APPROPRIATE FUNDS.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** The Legislative Research Commission may study issues
7 related to the conviction and sentencing of persons who (i) are between the ages of and
8 16 and 18 years, or youthful offenders, (ii) have been convicted of nonviolent felony
9 offenses, and (iii) have no prior convictions. The purpose of the study shall be to
10 establish a program or system by which youthful offenders with no prior convictions
11 may either maintain or reestablish a sealed, expunged, or reduced criminal record.
12 During the course of the study, the Commission may review the relevant North Carolina
13 laws and programs, including the law regarding conditional discharge and expunction of
14 records for first offenses under G.S. 90-96, deferred prosecution under G.S. 15A-1341,
15 and the first offenders programs. The Commission may also review the youthful
16 offender acts of New York and Georgia and other programs for youthful offenders,
17 including pretrial intervention programs, which have been proven effective.

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

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

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