

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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**SENATE BILL 135
House Committee Substitute Favorable 6/15/11**

Short Title: Allow Juvenile Record/Risk Determination/Bond.

(Public)

Sponsors:

Referred to:

February 28, 2011

A BILL TO BE ENTITLED

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2 AN ACT TO ALLOW A JUVENILE RECORD TO BE CONSIDERED IN MAKING THE
3 RISK DETERMINATION FOR ESTABLISHING A BOND UNDER THE LAWS
4 PERTAINING TO THE JUVENILE CODE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 7B-3000(e) reads as rewritten:

7 "(e) Notwithstanding any other provision of law, if the defendant in a criminal
8 proceeding involving a Class A1 misdemeanor or a felony was less than 21 years of age at the
9 time of the offense, information obtained pursuant to subsection (b) of this section regarding
10 the juvenile's record of an adjudication of delinquency for an offense that would be a Class A1
11 misdemeanor or a felony if committed by an adult, where ~~the adjudication occurred 18 months~~
12 ~~or less before the defendant reached 16 years of age or the adjudication occurred after the~~
13 ~~defendant reached 16~~ 13 years of age, may be used by law enforcement, the magistrate, the
14 courts, and the prosecutor for pretrial release, plea negotiating decisions, and plea acceptance
15 decisions. Information obtained regarding any juvenile record shall remain confidential and
16 shall not be placed in any public record."

17 **SECTION 2.** This act becomes effective December 1, 2011, and applies to pretrial
18 release, plea negotiating decisions, and plea acceptance decisions on or after that date.

