

NORTH CAROLINA GENERAL ASSEMBLY  
1979 SESSION

CHAPTER 61  
HOUSE BILL 44

AN ACT TO PROVIDE FOR THE EXPUNCTION OF ARREST AND TRIAL RECORDS  
OF YOUTHFUL OFFENDERS WHEN CHARGES ARE DISMISSED OR WHEN  
THERE ARE FINDINGS OF NOT GUILTY.

The General Assembly of North Carolina enacts:

**Section 1.** General Statutes Chapter 15 is amended by adding a new section to read as follows:

**"§ 15-223.1. Expunction of records when charges are dismissed or there are findings of not guilty** — Except as otherwise provided in G.S. 90-96, if any person is charged with a crime, either a misdemeanor or a felony, and the charge is dismissed, or a finding of not guilty is entered, that person may apply to the court of the county where the charge was brought for an order to expunge from all official records any entries relating to his apprehension or trial. The court shall hold a hearing on the application and, upon finding that at the time any of the proceedings against him occurred the person had not attained the age of 18 years and had not previously been convicted of any felony or misdemeanor other than a traffic violation under the laws of the United States, this State, or any other state, the court shall order the expunction. No person as to whom such an order has been entered shall be held thereafter under any provision of any law to be guilty of perjury, or to be guilty of otherwise giving a false statement or response to any inquiry made for any purpose, by reason of his failure to recite or acknowledge any expunged entries concerning apprehension or trial. The clerk shall send a copy of the expunction order to any public official known to be a custodian of such entries."

**Sec. 2.** This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 20th day of February, 1979.