

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1117

Short Title: Juvenile Capital Offense Change.

(Public)

Sponsors: Representatives Flaherty and Pope.

Referred to: Judiciary III.

April 24, 1991

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE LAW REGARDING THE TRANSFER OF
2 JURISDICTION OVER A JUVENILE TO SUPERIOR COURT FOR TRIAL AS
3 AN ADULT.
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5 The General Assembly of North Carolina enacts:

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

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

8 The court after notice, hearing, and a finding of probable cause may transfer
9 jurisdiction over a juvenile 14 years of age or older to superior court if the juvenile was
10 14 years of age or older at the time he allegedly committed an offense which would be a
11 felony if committed by an adult. If the alleged felony constitutes a capital offense or
12 would constitute a capital offense if committed by an adult and the judge finds probable
13 cause, the judge shall transfer the case to the superior court for trial as in the case of
14 adults."

15 Sec. 2. This act becomes effective October 1, 1991, and applies to offenses
16 committed on and after that date.