

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 498

Short Title: Juv. Sup. Ct. Transfer Change.

(Public)

Sponsors: Representatives Hensley, B. Miller (Co-sponsor); and Flaherty.

Referred to: Judiciary III.

March 24, 1993

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE LAW REGARDING THE PLACE OF CONFINEMENT OF A JUVENILE TRANSFERRED TO SUPERIOR COURT FOR TRIAL AS AN ADULT.

The General Assembly of North Carolina enacts:

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

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

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

(b) Upon written findings of fact, the court may order a juvenile being transferred to superior court for trial as an adult pursuant to subsection (a) of this section placed in either the jail of the county in which the alleged offense occurred or with the Department of Correction to await this trial."

Sec. 2. This act becomes effective October 1, 1993, and applies to orders in cases adjudicating acts committed on or after that date.