

GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 1994

CHAPTER 26
SENATE BILL 89

AN ACT TO REQUIRE THAT THE PARENT, GUARDIAN, OR NEXT-OF-KIN OF A MINOR WHO IS CHARGED BY A LAW ENFORCEMENT OFFICER SHALL BE NOTIFIED IMMEDIATELY OF THE CHARGE BY THE LAW ENFORCEMENT OFFICER MAKING THE CHARGE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-505 reads as rewritten:

"§ 15A-505. Notification of minor's parent.

(a) A law-enforcement officer who charges a minor with a criminal offense ~~must, without unnecessary delay, make a reasonable effort to inform or cause to be informed a parent or guardian of the minor of the charge.~~ shall notify the minor's parent or guardian of the charge, as soon as practicable, in person or by telephone. If the minor is taken into custody, the law enforcement officer or the officer's immediate superior shall notify a parent or guardian in writing that the minor is in custody within 24 hours of the minor's arrest. If the parent or guardian of the minor cannot be found, then the officer or the officer's immediate superior shall notify the minor's next-of-kin of the minor's arrest as soon as practicable.

(b) ~~This notice is not required if:~~ The notification provided for by subsection (a) of this section shall not be required if:

- (1) The minor is ~~emancipated;~~ or emancipated;
- (2) The minor is not taken into custody and has been charged with a motor vehicle moving violation for which three or fewer points are assessed under G.S. 20-16(c), except an offense involving impaired driving, as defined in G.S. 20-4.01(24a); or
- (3) The minor has been charged with a motor vehicle offense that is not a moving violation."

Sec. 2. This act becomes effective May 1, 1994, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 26th day of March, 1994.

Marc Basnight
President Pro Tempore of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives