

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

H

1

HOUSE BILL 2674

Short Title: Crime Commn Study Juvenile Jurisdiction/Funds. (Public)

Sponsors: Representatives Bordsen, Love (Primary Sponsors); Bryant, Faison, Glazier, and Lucas.

Referred to: Rules, Calendar, and Operations of the House, if favorable, Appropriations.

May 28, 2008

A BILL TO BE ENTITLED

1 AN ACT TO DIRECT THE GOVERNOR'S CRIME COMMISSION TO STUDY
2 EXPANDING THE JURISDICTION OF THE DEPARTMENT OF JUVENILE
3 JUSTICE AND DELINQUENCY PREVENTION TO INCLUDE CRIMINAL
4 ACTS OF SIXTEEN- AND SEVENTEEN-YEAR-OLDS AND TO
5 APPROPRIATE FUNDS TO CONDUCT THE STUDY.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** The Governor's Crime Commission and its adjunct committees
9 shall study the legal, systematic, and organizational impact of expanding the jurisdiction
10 of the Department of Juvenile Justice and Delinquency Prevention to include persons 16
11 and 17 years of age who commit crimes or infractions under State law or under an
12 ordinance of local government. In particular, the Commission shall perform the
13 following functions regarding the proposed expansion of the jurisdiction of the
14 Department of Juvenile Justice and Delinquency Prevention to include 16- and
15 17-year-olds who commit crimes or infractions under State or local law:

- 16 (1) Identify the costs to the State court system and State and local law
17 enforcement.
- 18 (2) Review the relevant State laws that should be conformed or amended,
19 including, but not limited to, the motor vehicle and criminal laws, the
20 laws regarding expunction of criminal records, and other juvenile laws.
- 21 (3) Review the experience of any other states which have within recent
22 years expanded the juvenile justice jurisdiction to 16- and
23 17-year-olds.
- 24 (4) Identify the practical issues for the Department of Juvenile Justice and
25 Delinquency Prevention to implement best practices for programs and
26 facilities that would meet the unique needs of the older youth under the

1 proposal without adversely affecting the existing departmental
2 programming.

3 (5) Review the relevant State laws on sharing of juvenile information with
4 other State departments and agencies.

5 (6) Create a specific plan of the actions that are necessary to implement
6 the expansion of the jurisdiction of the Department of Juvenile Justice
7 and Delinquency Prevention.

8 (7) Determine the total cost of expanding the jurisdiction of the
9 Department of Juvenile Justice and Delinquency Prevention.

10 (8) Conduct a cost benefit analysis of expanding the jurisdiction of the
11 Department of Juvenile Justice and Delinquency Prevention with
12 specific information on possible future fiscal savings anywhere within
13 State government as a result of expenditures necessary to implement
14 the expansion.

15 (9) Determine whether federal or other funds are available to aid in the
16 transition and expansion, or both, of the age of juvenile jurisdiction to
17 16- and 17-year-olds.

18 **SECTION 2.** The Commission may contract with an independent group or
19 groups for the oversight and management of this study project, a service needs study,
20 and a courts study, and to periodically report those findings to the Commission.

21 **SECTION 3.** The Department of Juvenile Justice and Delinquency
22 Prevention and all other departments, agencies, institutions, or officers of the State or
23 any political subdivision of the State shall cooperate with the Commission in this study,
24 shall provide the Commission with any requested facilities, data, or other assistance,
25 and help the Commission identify any collateral effect which might result from
26 implementation of the proposal on the program and operations of the relevant State
27 department, agency, or the political subdivision.

28 **SECTION 4.(a)** The Commission shall submit a final report of its findings
29 and legislative, administrative, and funding recommendations, by April 1, 2009, to the
30 General Assembly and the Governor.

31 In addition to its final report, the Commission shall report in writing on the
32 progress of this study on a quarterly basis beginning on October 1, 2008, and by the first
33 day of every quarter thereafter until the Commission submits its final report to the
34 General Assembly, to the chairs and cochairs, as applicable, of the standing committees
35 or subcommittees of the General Assembly listed in subsections (b) and (c) of this
36 Section.

37 **SECTION 4.(b)** The Commission shall report to the chairs and cochairs, as
38 applicable, of all of the following standing committees or subcommittees in the House
39 of Representatives pursuant to this section:

40 (1) Appropriations: Justice and Public Safety.

41 (2) Children, Youth, and Families.

42 (3) Education: Preschool, Elementary, and Secondary Education.

43 (4) Juvenile Justice.

44 (5) Judiciary I.

1 (6) Judiciary II.

2 (7) Judiciary III.

3 **SECTION 4.(c)** The Commission shall report to the chairs and cochairs, as
4 applicable, of all of the following standing committees or subcommittees in the Senate
5 pursuant to this section:

6 (1) Appropriations: Justice and Public Safety.

7 (2) Education and Higher Education.

8 (3) Judiciary I.

9 (4) Judiciary II.

10 (5) Mental Health and Youth Services.

11 **SECTION 4.(d)** A copy of each progress report made to the standing
12 committee and subcommittee chairs shall also be filed in the Legislative Library.

13 **SECTION 5.** The Commission may apply for, receive, or accept grants and
14 contributions from any source of money or any other thing of value to be held and used
15 for the purposes of this study.

16 **SECTION 6.** There is appropriated from the General Fund to the
17 Department of Crime Control and Public Safety the sum of twenty-five thousand dollars
18 (\$25,000) for the 2008-2009 fiscal year to be allocated to the Governor's Crime
19 Commission to conduct the study pursuant to this act.