

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025**

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**HOUSE BILL 307**

Short Title: Various Criminal Law Revisions. (Public)

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Sponsors: Representative Stevens.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

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Referred to: Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

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March 6, 2025

A BILL TO BE ENTITLED

AN ACT TO MODIFY TIME LIMITS ON MOTIONS FOR APPROPRIATE RELIEF IN NONCAPITAL CASES; TO PLACE XYLAZINE AND KRATOM ON THE CONTROLLED SUBSTANCE SCHEDULES; TO CREATE A NEW CRIMINAL OFFENSE FOR EXPOSING A CHILD TO A CONTROLLED SUBSTANCE; TO REQUIRE RECORDATION OF ALL CRIMINAL MATTERS IN DISTRICT COURT AND ESTABLISH WHEN THOSE RECORDS MAY BE DISCLOSED; TO REVISE LAWS PERTAINING TO THE DISCLOSURE AND RELEASE OF AUTOPSY INFORMATION COMPILED OR PREPARED BY THE OFFICE OF THE CHIEF MEDICAL EXAMINER; TO REVISE THE LAW GOVERNING THE GRANTING OF IMMUNITY TO WITNESSES; AND TO CLARIFY THE STANDING OF DISTRICT ATTORNEYS IN CERTAIN CASES.

The General Assembly of North Carolina enacts:

**MODIFY TIME LIMITS ON MOTIONS FOR APPROPRIATE RELIEF IN NONCAPITAL CASES**

**SECTION 1.(a)** G.S. 15A-1415 reads as rewritten:

**"§ 15A-1415. Grounds for appropriate relief which may be asserted by defendant after verdict; limitation as to time.**

(a) ~~At any time after verdict, a noncapital defendant by motion may seek appropriate relief upon any of the grounds enumerated in this section.~~ In a capital case, a defendant may file a postconviction motion for appropriate relief shall be filed based on any of the grounds enumerated in this section within 120 days from the latest of any of the following:

- (1) The court's judgment has been filed, but the defendant failed to perfect a timely ~~appeal; appeal.~~
- (2) The mandate issued by a court of the appellate division on direct appeal pursuant to N.C.R. App. P. 32(b) and the time for filing a petition for writ of certiorari to the United States Supreme Court has expired without a petition being ~~filed; filed.~~
- (3) The United States Supreme Court denied a timely petition for writ of certiorari of the decision on direct appeal by the Supreme Court of North ~~Carolina; Carolina.~~
- (4) Following the denial of discretionary review by the Supreme Court of North Carolina, the United States Supreme Court denied a timely petition for writ of



certiorari seeking review of the decision on direct appeal by the North Carolina Court of Appeals; Appeals.

(5) The United States Supreme Court granted the defendant's or the State's timely petition for writ of certiorari of the decision on direct appeal by the Supreme Court of North Carolina or North Carolina Court of Appeals, but subsequently left the defendant's conviction and sentence undisturbed; or undisturbed.

(6) The appointment of postconviction counsel for an indigent capital defendant.

(a1) In a noncapital case, a defendant may file a postconviction motion for appropriate relief based on any of the grounds enumerated in this section within 120 days from the latest of any of the events listed in subdivisions (1) through (5) of subsection (a) of this section.

...

(c1) Notwithstanding the time limitations otherwise provided in this section, a defendant may file a motion for appropriate relief based on any of the grounds enumerated in this section at any time if the district attorney for the prosecutorial district where the case originated consents to the filing of the motion.

...."

**SECTION 1.(b)** G.S. 15A-1419(a)(4) reads as rewritten:

"(4) The defendant failed to file a timely motion for appropriate relief as required by ~~G.S. 15A-1415(a)~~ subsection (a) or (a1) of G.S. 15A-1415."

**SECTION 1.(c)** This section becomes effective December 1, 2025, and applies to verdicts entered on or after that date.

**ADD XYLAZINE AND KRATOM TO THE CONTROLLED SUBSTANCE SCHEDULES**

**SECTION 2.(a)** G.S. 90-91 reads as rewritten:

**"§ 90-91. Schedule III controlled substances.**

This schedule includes the controlled substances listed or to be listed by whatever official name, common or usual name, chemical name, or trade name designated. In determining that a substance comes within this schedule, the Commission shall find: a potential for abuse less than the substances listed in Schedules I and II; currently accepted medical use in the United States; and abuse may lead to moderate or low physical dependence or high psychological dependence. The following controlled substances are included in this schedule:

...

(b) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system unless specifically exempted or listed in another schedule:

1. Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid.
2. Chlorhexadol.
3. Repealed by Session Laws 1993, c. 319, s. 5.
4. Lysergic acid.
5. Lysergic acid amide.
6. Methyprylon.
7. Sulfondiethylmethane.
8. Sulfonethylmethane.
9. Sulfonmethane.
- 9a. Tiletamine and zolazepam or any salt thereof. Some trade or other names for tiletamine-zolazepam combination product: Telazol. Some trade or other names for tiletamine:

- 1 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Some trade or other names for  
 2 zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e][  
 3 1,4]/y-diazepin-7(1H)-one. flupyrazapon.  
 4 10. Any compound, mixture or preparation containing  
 5 (i) Amobarbital.  
 6 (ii) Secobarbital.  
 7 (iii) Pentobarbital.  
 8 or any salt thereof and one or more active ingredients which are not included  
 9 in any other schedule.  
 10 11. Any suppository dosage form containing  
 11 (i) Amobarbital.  
 12 (ii) Secobarbital.  
 13 (iii) Pentobarbital.  
 14 or any salt of any of these drugs and approved by the federal Food and Drug  
 15 Administration for marketing as a suppository.  
 16 12. Ketamine.  
 17 13. Xylazine.

18 ...."

19 **SECTION 2.(b)** G.S. 90-94 reads as rewritten:

20 **"§ 90-94. Schedule VI controlled substances.**

21 (a) This schedule includes the controlled substances listed or to be listed by whatever  
 22 official name, common or usual name, chemical name, or trade name designated. In determining  
 23 that such substance comes within this schedule, the Commission shall find: no currently accepted  
 24 medical use in the United States, or a relatively low potential for abuse in terms of risk to public  
 25 health and potential to produce psychic or physiological dependence liability based upon present  
 26 medical knowledge, or a need for further and continuing study to develop scientific evidence of  
 27 its pharmacological effects.

28 (b) The following controlled substances are included in this schedule:

- 29 (1) Marijuana.  
 30 (2) Tetrahydrocannabinols, except for tetrahydrocannabinols found in a product  
 31 with a delta-9 tetrahydrocannabinol concentration of not more than  
 32 three-tenths of one percent (0.3%) on a dry weight basis.  
 33 (3) Repealed by Session Laws 2017-115, s. 8, effective December 1, 2017, and  
 34 applicable to offenses committed on or after that date.  
 35 (4) Kratom. For the purposes of this subdivision, "Kratom" includes any quantity  
 36 of mitragynine or 7-hydroxymitragynine or both, extracted from the leaf of  
 37 the plant Mitragyna speciosa.

38 ...."

39 **SECTION 2.(c)** Subsection (b) of this section becomes effective June 1, 2026, and  
 40 applies to offenses committed on or after that date. The remainder of this section becomes  
 41 effective December 1, 2025, and applies to offenses committed on or after that date.

42  
 43 **CREATE NEW CRIMINAL OFFENSE FOR EXPOSING A CHILD TO A**  
 44 **CONTROLLED SUBSTANCE**

45 **SECTION 3.(a)** Article 39 of Chapter 14 of the General Statutes is amended by  
 46 adding a new section to read:

47 **"§ 14-318.7. Exposing a child to a controlled substance.**

48 (a) Definitions. – The following definitions apply in this section:

- 49 (1) Child. – Any person who is less than 16 years of age.

1           (2)   Controlled substance. – A controlled substance, controlled substance  
2                   analogue, drug, marijuana, narcotic drug, opiate, opioid, opium poppy, poppy  
3                   straw, or targeted controlled substance, all as defined in G.S. 90-87.

4           (3)   Ingest. – Any means used to take into the body, to eat or drink, or otherwise  
5                   consume or absorb into the body in any way.

6           (b)   A person who knowingly, recklessly, or intentionally causes or permits a child to be  
7                   exposed to a controlled substance is guilty of a Class H felony.

8           (c)   A person who knowingly, recklessly, or intentionally causes or permits a child to be  
9                   exposed to a controlled substance and, as a result, the child ingests the controlled substance is  
10                  guilty of a Class E felony.

11          (d)   A person who knowingly, recklessly, or intentionally causes or permits a child to be  
12                   exposed to a controlled substance and, as a result, the child ingests the controlled substance,  
13                   resulting in serious physical injury as defined in G.S. 14-318.4, is guilty of a Class D felony.

14          (e)   A person who knowingly, recklessly, or intentionally causes or permits a child to be  
15                   exposed to a controlled substance and, as a result, the child ingests the controlled substance,  
16                   resulting in serious bodily injury as defined in G.S. 14-318.4, is guilty of a Class C felony.

17          (f)   A person who knowingly, recklessly, or intentionally causes or permits a child to be  
18                   exposed to a controlled substance and, as a result, the child ingests the controlled substance, and  
19                   the ingestion is the proximate cause of death, is guilty of a Class B1 felony.

20          (g)   This section does not apply to a person that intentionally gives a child a controlled  
21                   substance that has been prescribed for the child by a licensed medical professional when given  
22                   to the child in the prescribed amount and manner."

23           **SECTION 3.(b)** This section becomes effective December 1, 2025, and applies to  
24           offenses committed on or after that date.

## 25           **REQUIRE RECORDATION OF ALL CRIMINAL MATTERS IN DISTRICT COURT**

26           **SECTION 4.(a)** G.S. 7A-191.1 reads as rewritten:

27           "**§ 7A-191.1. Recording of ~~proceeding in which defendant pleads guilty or no contest to~~**  
28                   **~~felony in district court.~~criminal proceedings.**

29           (a)   The trial judge shall require that a true, complete, and accurate record be made of the  
30                   proceeding in which a defendant pleads guilty or no contest to a Class H or I felony pursuant to  
31                   G.S. 7A-272. All criminal proceedings in district court shall be recorded by stenographic notes or  
32                   by electronic or mechanical means. Records shall be reduced to a written transcript only when  
33                   timely notice of appeal has been given or either party requests and provides for the cost of such  
34                   transcription.

35           (b)   Any recording or transcript created pursuant to this section shall be confidential and  
36                   shall be retained by the clerks of superior court as confidential files. Any such records retained  
37                   by the clerks under this subsection shall be retained in accordance with the retention schedule for  
38                   the underlying case type, as prescribed by the Director of the Administrative Office of the Courts  
39                   in conjunction with the State Archives pursuant to Chapter 121 of the General Statutes. The  
40                   Administrative Office of the Courts may maintain on behalf of the clerks of superior court any  
41                   records retained in electronic form by the clerks under this subsection.

42           (c)   Except as otherwise provided in this section, a clerk shall not disclose to any person  
43                   or for any reason any record or transcript made pursuant to this section. A clerk shall disclose the  
44                   existence or content of a record or transcript from the clerk's own county only as follows:

45                   (1)   Upon request of a person in the recorded proceeding, the criminal defendant  
46                           in the recorded proceeding, or the attorney representing the criminal defendant  
47                           in the recorded proceeding.

48                   (2)   To the office of the district attorney.

49                   (3)   To the Office of the Appellate Defender upon appointment of that office as  
50                           counsel for the criminal defendant in the recorded proceeding.  
51

(d) Any other person or entity seeking disclosure or release of any recording or transcript made pursuant to this section may commence a special proceeding in superior court to obtain a court order for disclosure or release of such materials. Upon a showing of good cause, a superior court judge may issue an order authorizing the disclosure or release of the recording or transcript and may prescribe any restrictions or stipulations that the superior court judge deems appropriate. The petitioner shall provide reasonable notice of the commencement of the special proceeding and reasonable notice of the opportunity to be present and heard at any hearing on the matter in accordance with Rule 5 of the Rules of Civil Procedure. The notice shall be provided, in writing, to the district attorney of the county in which the record was made and the criminal defendant in the recorded proceeding. In determining good cause, the judge shall consider whether the disclosure or release is necessary for the public evaluation of governmental performance, the need to withhold the records to facilitate the investigation or prosecution of criminal offenses, the rights of the defendant in any ongoing criminal investigation or prosecution, the public interest in having access to the records, and the availability of similar information in other public records, regardless of form. A party aggrieved by an order of the superior court authorized by this subsection may appeal in accordance with Article 27 of Chapter 1 of the General Statutes.

**SECTION 4.(b)** This section becomes effective December 1, 2025, and applies to proceedings conducted on or after that date.

**REVISE LAWS PERTAINING TO THE DISCLOSURE AND RELEASE OF AUTOPSY INFORMATION COMPILED OR PREPARED BY THE OFFICE OF THE CHIEF MEDICAL EXAMINER**

**SECTION 5.(a)** G.S. 130A-385 reads as rewritten:

**"§ 130A-385. Duties of medical examiner upon receipt of notice; reports; copies.**

...

(d) Upon request by the district attorney, the Office of the Chief Medical Examiner, the local medical examiner, and the autopsy center, as applicable, shall provide a complete copy of the medical examiner investigation file to the appropriate district attorney. For purposes of this subsection, the "medical examiner investigation file" means the finalized toxicology report, the finalized autopsy report, any autopsy examination notes, any death scene notes, the finalized report of investigation of a medical examiner, the case encounter form, any case comments, any case notes, any autopsy photographs, any scene photographs, and any video or audio recordings of the autopsy examination in the custody and control of the North Carolina Office of the Chief Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical examiner appointed under G.S. 130A-382, ~~or an investigating medical examiner-examiner, or an autopsy center~~ in connection with a death under criminal investigation by a public law enforcement agency. Each records custodian ~~shall be~~ is responsible for providing the portions of the medical examiner investigation file within its custody and control. This is a continuing disclosure obligation, and ~~each records custodian shall provide to the district attorney~~ any records or other materials responsive to the district attorney's request that are discovered or added to the medical examiner investigation file after the request ~~was made shall also be provided to the district attorney.~~ has been made. The district attorney or investigating law enforcement agency shall inform the Chief Medical Examiner, ~~the county medical examiner, or the autopsy center,~~ Examiner, the county medical examiner appointed under G.S. 130A-382, the investigating medical examiner, and the autopsy center, as applicable, ~~if when~~ when the death is no longer under criminal investigation and the ~~continuing disclosure obligation is~~ has terminated.

(d1) Any records, worksheets, reports, photographs, tests, or analyses compiled, prepared, or conducted by the Office of the Chief Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical examiner appointed under G.S. 130A-382, an investigating medical examiner, or an autopsy center in connection with a death under criminal investigation by a public law enforcement agency or during the pendency of criminal charges associated with

1 a death, including any autopsy photographs or video or audio recordings, shall be treated as  
2 records of criminal investigations pursuant to G.S. 132-1.4 and may only be disclosed or released  
3 to individuals authorized to obtain copies pursuant to G.S. 130A-389.1 or as follows:

4 (1) The custodian of the finalized autopsy report may release a copy at a time and  
5 location determined by the custodial agency to a personal representative of the  
6 decedent's estate to enable the personal representative to fulfill his or her  
7 duties under the law.

8 (2) The Office of the Chief Medical Examiner, a pathologist designated by the  
9 Chief Medical Examiner, a county medical examiner appointed under  
10 G.S. 130A-382, an investigating medical examiner, or an autopsy center is not  
11 prohibited from disclosing or releasing information or reports when necessary  
12 to address public health or safety concerns; for public health purposes,  
13 including public health surveillance, investigations, interventions, and  
14 evaluations; to facilitate research; to comply with reporting requirements  
15 under State or federal law or in connection with State or federal grants; or to  
16 comply with any other duties imposed by law.

17 Any person who willfully and knowingly discloses or releases materials treated as records of  
18 criminal investigations in violation of this subsection, or who willfully and knowingly possesses  
19 or disseminates materials treated as records of criminal investigations that were disclosed or  
20 released in violation of this subsection, is guilty of a Class 1 misdemeanor; provided, however,  
21 that more than one occurrence of disclosure, release, possession, or dissemination of the same  
22 item by the same person is not a separate offense. As used in this subsection, the term "disclose"  
23 means the act of making materials treated as records of criminal investigation under this  
24 subsection available for viewing or listening by a person or entity upon request, at a time and  
25 location chosen by the custodial agency, and the term "release" means the act of the custodial  
26 agency in providing a copy of materials treated as records of criminal investigation under this  
27 subsection.

28 (d2) Any other person or entity seeking disclosure or release of materials treated as records  
29 of criminal investigations under subsection (d1) of this section may commence a special  
30 proceeding in the superior court of the county where the death that is the subject of the materials  
31 occurred to obtain a court order for disclosure or release of the materials. The court may conduct  
32 an in-camera review of the materials. Upon a showing of good cause, a superior court judge may  
33 issue an order authorizing the disclosure or release of the materials and may prescribe any  
34 restrictions or stipulations that the superior court judge deems appropriate. The petitioner shall  
35 provide reasonable notice of the commencement of the special proceeding and reasonable notice  
36 of the opportunity to be present and heard at any hearing on the matter in accordance with Rule  
37 5 of the Rules of Civil Procedure. The notice shall be provided, in writing, to the Office of the  
38 Chief Medical Examiner, the district attorney of the county in which the death occurred, the  
39 personal representative of the estate of the deceased, if any, and the surviving spouse of the  
40 deceased. If there is no surviving spouse, then the notice shall be provided to the deceased's  
41 parents, and if the deceased has no living parent, then to the adult child of the deceased or to the  
42 guardian or custodian of a minor child of the deceased. In determining good cause, the judge  
43 shall consider whether the disclosure or release is necessary for the public evaluation of  
44 governmental performance, the seriousness of the intrusion into the family's right to privacy,  
45 whether the requested disclosure or release is the least intrusive means available, the need to  
46 withhold the records to facilitate the investigation or prosecution of criminal offenses, the rights  
47 of the defendant in any ongoing criminal investigation or prosecution, the public interest in  
48 having access to the records, and the availability of similar information in other public records,  
49 regardless of form. A party aggrieved by an order of the superior court authorized by this  
50 subsection may appeal in accordance with Article 27 of Chapter 1 of the General Statutes.

1 (e) In cases where death occurred due to an injury received in the course of the decedent's  
2 employment, the Chief Medical Examiner shall forward to the Commissioner of Labor a copy of  
3 the medical examiner's report of the investigation, including the location of the fatal injury and  
4 the name and address of the decedent's employer at the time of the fatal injury. The Chief Medical  
5 Examiner shall forward this report within 30 days of receipt of the information from the medical  
6 examiner.

7 (f) If a death occurred in a facility licensed subject to Article 2 or Article 3 of Chapter  
8 122C of the General Statutes, or Articles 1 or 1A of Chapter 131D of the General Statutes, and  
9 the deceased was a client or resident of the facility or a recipient of facility services at the time  
10 of death, then the Chief Medical Examiner shall forward a copy of the medical examiner's report  
11 to the Secretary of Health and Human Services within 30 days ~~of~~ after receipt of the report from  
12 the medical examiner."

13 **SECTION 5.(b)** G.S. 130A-389.1 reads as rewritten:

14 "**§ 130A-389.1. Photographs and video or audio recordings made pursuant to autopsy.**

15 (a) Except as otherwise provided by ~~law,~~ law and excluding any materials treated as  
16 records of criminal investigations under G.S. 130A-385(d1), any person may inspect and  
17 examine original photographs or video or audio recordings of an autopsy performed pursuant to  
18 G.S. 130A-389(a) at reasonable times and under reasonable supervision of the custodian of the  
19 photographs or recordings. Except as otherwise provided by this section, no custodian of the  
20 original recorded images shall furnish copies of photographs or video or audio recordings of an  
21 autopsy to the public. For purposes of this section, the Chief Medical Examiner shall be the  
22 custodian of all autopsy photographs or video or audio recordings unless the photographs or  
23 recordings were taken by or at the direction of an investigating medical examiner and the  
24 investigating medical examiner retains the original photographs or recordings. ~~If~~ Except in cases  
25 in which the materials are treated as records of criminal investigations under G.S. 130A-385(d1),  
26 if the investigating medical examiner has retained the original photographs or recordings, then  
27 the investigating medical examiner is the custodian of the photographs or video or audio  
28 recordings and ~~must~~ shall allow the public to inspect and examine them in accordance with this  
29 subsection.

30 ...

31 (d) A person who is denied access to copies of photographs or video or audio recordings,  
32 or who is restricted in the use the person may make of the photographs or video or audio  
33 recordings under this section, may commence a special proceeding in accordance with Article 33  
34 of Chapter 1 of the General Statutes. Upon a showing of good cause, the clerk may issue an order  
35 authorizing the person to copy or disclose a photograph or video or audio recording of an autopsy  
36 and may prescribe any restrictions or stipulations that the clerk deems appropriate. In determining  
37 good cause, the clerk shall consider whether the disclosure is necessary for the public evaluation  
38 of governmental performance; the seriousness of the intrusion into the family's right to privacy  
39 and whether the disclosure is the least intrusive means available; and the availability of similar  
40 information in other public records, regardless of form. In all cases, the viewing, copying,  
41 listening to, or other handling of a photograph or video or audio recording of an autopsy shall be  
42 under the direct supervision of the Chief Medical Examiner or the Chief Medical Examiner's  
43 designee. A party aggrieved by an order of the clerk may appeal to the appropriate court in  
44 accordance with Article 27A of Chapter 1 of the General Statutes. This subsection does not apply  
45 to autopsy photographs or video or audio recordings that are treated as records of criminal  
46 investigations under G.S. 130A-385(d1), which may be disclosed or released to other persons or  
47 entities only in accordance with G.S. 130A-385(d2).

48 ...."

49 **SECTION 5.(c)** G.S. 132-1.8 reads as rewritten:

50 "**§ 132-1.8. Confidentiality of photographs and video or audio recordings made pursuant**  
51 **to autopsy.**

1 Except as otherwise provided in G.S. 130A-389.1, a photograph or video or audio recording  
2 of an official autopsy is not a public record as defined by G.S. 132-1. However, the text of an  
3 official autopsy report, including any findings and interpretations prepared in accordance with  
4 G.S. 130A-389(a), is a public record and fully accessible by the ~~public~~. public, unless the report  
5 is treated as a record of criminal investigation under G.S. 130A-385(d1). For purposes of this  
6 section, an official autopsy is an autopsy performed pursuant to G.S. 130A-389(a)."

7 **SECTION 5.(d)** This section becomes effective October 1, 2025.  
8

## 9 **REVISE THE LAW GOVERNING THE GRANTING OF IMMUNITY TO WITNESSES**

10 **SECTION 6.(a)** G.S. 15A-1052(b) reads as rewritten:

11 "(b) The application may be made whenever, in the judgment of the district attorney, the  
12 witness has asserted or is likely to assert ~~his~~the witness's privilege against self-incrimination and  
13 ~~his~~the witness's testimony or other information is or will be necessary to the public interest.  
14 ~~Before making application to the judge, the district attorney must inform the Attorney General,~~  
15 ~~or a deputy or assistant attorney general designated by him, of the circumstances and his intent~~  
16 ~~to make an application."~~

17 **SECTION 6.(b)** G.S. 15A-1053(b) reads as rewritten:

18 "(b) The application may be made when the district attorney has been informed by the  
19 foreman of the grand jury that the witness has asserted ~~his~~the witness's privilege against  
20 self-incrimination and the district attorney determines that the testimony or other information is  
21 necessary to the public interest. ~~Before making application to the judge, the district attorney must~~  
22 ~~inform the Attorney General, or a deputy or assistant attorney general designated by him, of the~~  
23 ~~circumstances and his intent to make an application."~~

24 **SECTION 6.(c)** This section is effective when it becomes law and applies to  
25 applications made on or after that date.  
26

## 27 **CLARIFY THE STANDING OF DISTRICT ATTORNEYS IN CERTAIN CASES**

28 **SECTION 7.(a)** G.S. 7A-61 reads as rewritten:

### 29 **"§ 7A-61. Duties of district attorney.**

30 The district attorney shall prepare the trial dockets, prosecute in a timely manner in the name  
31 of the State all criminal actions and infractions requiring prosecution in the superior and district  
32 courts of the district attorney's prosecutorial district and advise the officers of justice in the  
33 district attorney's district. The district attorney shall also represent the State in juvenile cases in  
34 the superior and district courts in which the juvenile is represented by an attorney. The district  
35 attorney shall provide to the Attorney General any case files, records and additional information  
36 necessary for the Attorney General to conduct appeals to the Appellate Division for cases from  
37 the district attorney's prosecutorial district. The Attorney General shall not delegate to the district  
38 attorney, or any other entity, the duty to represent the State in a criminal and/or juvenile ~~appeals-~~  
39 ~~appeal, but the district attorney has standing to appear and be heard in the appeal.~~ Each district  
40 attorney shall devote his full time to the duties of his office and shall not engage in the private  
41 practice of law."

42 **SECTION 7.(b)** G.S. 114-2(1) reads as rewritten:

43 "(1) To defend all actions in the appellate division in which the State shall be  
44 interested, or a party, and to appear for the State in any other court or tribunal  
45 in any cause or matter, civil or criminal, in which the State may be a party or  
46 interested. The duty to represent the State in a criminal ~~appeals-~~ appeal shall  
47 not be delegated to any district attorney's office or any other ~~entity-~~ entity, ~~but~~  
48 the district attorney of the prosecutorial district where the case was tried has  
49 standing to appear and be heard in the appeal."

50 **SECTION 7.(c)** This section is effective when it becomes law and applies to appeals  
51 filed on or after that date.



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**SEVERABILITY, SAVINGS CLAUSE, AND EFFECTIVE DATE**

**SECTION 8.(a)** If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application and, to this end, the provisions of this act are severable.

**SECTION 8.(b)** Prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

**SECTION 8.(c)** Except as otherwise provided, this act is effective when it becomes law.