

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 135

Short Title: Allow Juvenile Record/Risk Determination/Bond. (Public)

Sponsors: Senators Clodfelter; and Jones.

Referred to: Judiciary II.

February 28, 2011

A BILL TO BE ENTITLED

AN ACT TO ALLOW A JUVENILE RECORD TO BE CONSIDERED IN MAKING THE
RISK DETERMINATION FOR ESTABLISHING A BOND UNDER THE LAWS
PERTAINING TO THE JUVENILE CODE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7B-3000(e) reads as rewritten:

"(e) Notwithstanding any other provision of law, if the defendant in a criminal proceeding involving a Class A1 misdemeanor or a felony was less than 21 years of age at the time of the offense, information obtained pursuant to subsection (b) of this section regarding the juvenile's record of an adjudication of delinquency for an offense that would be a Class A1 misdemeanor or a felony if committed by an adult, ~~where the adjudication occurred 18 months or less before the defendant reached 16 years of age or the adjudication occurred after the defendant reached 16 years of age,~~ adult may be used by law enforcement, the magistrate, the courts, and the prosecutor for pretrial release, plea negotiating decisions, and plea acceptance decisions. Information obtained regarding any juvenile record shall remain confidential and shall not be placed in any public record."

SECTION 2. This act becomes effective December 1, 2011, and applies to offenses committed on or after that date.

