

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 668
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40406-ND-99

Short Title: Record All Criminal Jury Trial Proceedings. (Public)

Sponsors: Representative Richardson.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE RECORDING OF ALL PROCEEDINGS IN A CRIMINAL
3 JURY TRIAL IN SUPERIOR COURT.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 15A-1241 reads as rewritten:

6 "§ 15A-1241. Record of proceedings.

7 (a) The trial judge must require that the reporter make a true, complete, and accurate
8 record of all statements from the bench and all other ~~proceedings except~~ proceedings.

9 (1) ~~Selection of the jury in noncapital cases;~~

10 (2) ~~Opening statements and final arguments of counsel to the jury; and~~

11 (3) ~~Arguments of counsel on questions of law.~~

12 (b) ~~Upon motion of any party or on the judge's own motion, proceedings excepted under~~
13 ~~subdivisions (1) and (2) of subsection (a) must be recorded. The motion for recordation of jury~~
14 ~~arguments must be made before the commencement of any argument and if one argument is~~
15 ~~recorded all must be. Upon suggestion of improper argument, when no recordation has been~~
16 ~~requested or ordered, the judge in his discretion may require the remainder to be recorded.~~

17 ...

18 (d) The trial judge may review the accuracy of the reporter's record of the proceedings,
19 but may not make substantive changes in the transcript concerning ~~his~~ the judge's charge, rulings,
20 and comments without notice to the State, the defense, and the reporter. When any correction of
21 a transcript is ordered made by a judge, each party is entitled to receive, upon request, a copy of
22 the transcript indicating the text as submitted by the reporter and as changed by the judge. Upon
23 motion of any party, the judge must afford the parties a hearing upon any change ordered by the
24 judge."

25 SECTION 2. This act becomes effective October 1, 2021, and applies to statements
26 from the bench and other proceedings occurring on or after that date.

