

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

H

3

HOUSE BILL 29\*  
Committee Substitute Favorable 2/18/94  
Third Edition Engrossed 2/21/94

Short Title: Longer Juvenile Commitments.

(Public)

Sponsors:

Referred to:

February 8, 1994

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR COMMITMENT OF JUVENILES ADJUDICATED  
DELINQUENT FOR CERTAIN FELONY OFFENSES TO AGE EIGHTEEN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-652(b) reads as rewritten:

"(b) Commitment for an offense other than one that would be a Class A, B, C, D, or E felony if committed by an adult shall be for:

(1) An indefinite term not to exceed the eighteenth birthday of the juvenile; or

(2) A definite term not to exceed two years if the judge finds that the juvenile is 14 years of age or older, has been previously adjudicated delinquent for two or more felony offenses, and has been previously committed to a residential facility operated by the Division of Youth Services. The Division may reduce the duration of the definite commitment by an amount not to exceed twenty-five percent (25%) if the juvenile has not committed any major infractions of the regulations of any facility to which he is assigned, and the Division of Youth Services may move for a reduction of more than twenty-five percent (25%) pursuant to G.S. 7A-664.

Commitment for an offense that would be a Class A, B, C, D, or E felony if committed by an adult shall be for a definite term to expire on the earlier of (i) the

1 juvenile's eighteenth birthday or (ii) the expiration of the applicable period for the class  
2 of offense in the following table:

3 <u>Class of Offense</u>	<u>Number of Months</u>
4 <u>A</u>	<u>Unlimited</u>
5 <u>B</u>	<u>135</u>
6 <u>C</u>	<u>63</u>
7 <u>D</u>	<u>55</u>
8 <u>E</u>	<u>25"</u>

9 Sec. 2. G.S. 7A-652(b) reads as rewritten:

10 "(b) Commitment for an offense other than one that would be a Class A, B, C, D,  
11 or E felony if committed by an adult shall be for:

12 (1) An indefinite term not to exceed the eighteenth birthday of  
13 the juvenile; or

14 (2) A definite term not to exceed two years if the judge finds  
15 that the juvenile is 14 years of age or older, has been previously  
16 adjudicated delinquent for two or more felony offenses, and has been  
17 previously committed to a residential facility operated by the  
18 Division of Youth Services. The Division may reduce the duration of  
19 the definite commitment by an amount not to exceed twenty-five  
20 percent (25%) if the juvenile has not committed any major  
21 infractions of the regulations of any facility to which he is assigned,  
22 and the Division of Youth Services may move for a reduction of  
23 more than twenty-five percent (25%) pursuant to G.S. 7A-664.

24 Commitment for an offense that would be a Class A, B, C, D, or E felony if  
25 committed by an adult shall be for a definite term to expire on the earlier of (i) the  
26 juvenile's eighteenth birthday or (ii) the expiration of the maximum sentence in the  
27 presumptive minimum range provided in G.S. 15A-1340.17(c) for the applicable class  
28 of offense at prior record level one."

29 Sec. 3. Section 1 of this act becomes effective May 1, 1994, applies to  
30 offenses committed on or after that date, and expires on the date that Section 1 of  
31 Chapter 538 of the 1993 Session Laws becomes effective. Section 2 of this act becomes  
32 effective on the date that Section 1 of Chapter 538 of the 1993 Session Laws becomes  
33 effective and applies to offenses committed on or after that date.