



- 1           a.     Any juvenile who, while less than 16 years of age but at least  
2                 six years of age, commits a crime or infraction under State law  
3                 or under an ordinance of local government, including violation  
4                 of the motor vehicle laws.
- 5           b.     Any juvenile who is 16 or 17 years of age and who commits a  
6                 crime or infraction under State law or under an ordinance of  
7                 local government, but not including violation of motor vehicle  
8                 laws."

9           **SECTION 3.** G.S. 7B-1601 reads as rewritten:

10   **"§ 7B-1601. Jurisdiction over delinquent juveniles.**

11       (a)     The court has exclusive, original jurisdiction over any case involving a  
12       juvenile who is alleged to be delinquent. For purposes of determining jurisdiction, the  
13       age of the juvenile at the time of the alleged offense governs.

14       (b)     When the court obtains jurisdiction over a juvenile alleged to be delinquent,  
15       jurisdiction shall continue until terminated by order of the court or until the juvenile  
16       reaches the age of 18 years, except as provided otherwise in this Article.

17       (c)     When delinquency proceedings cannot be concluded before the juvenile  
18       reaches the age of 18 years, the court retains jurisdiction for the sole purpose of  
19       conducting proceedings pursuant to Article 22 of this Chapter and either transferring the  
20       case to superior court for trial as an adult or dismissing the petition.

21       (d)     When the court has not obtained jurisdiction over a juvenile before the  
22       juvenile reaches the age of 18, for a felony and any related misdemeanors the juvenile  
23       allegedly committed on or after the juvenile's thirteenth birthday and prior to the  
24       juvenile's ~~sixteenth~~ eighteenth birthday, the court has jurisdiction for the sole purpose  
25       of conducting proceedings pursuant to Article 22 of this Chapter and either transferring  
26       the case to superior court for trial as an adult or dismissing the petition.

27       (e)     The court has jurisdiction over delinquent juveniles in the custody of the  
28       Department and over proceedings to determine whether a juvenile who is under the  
29       post-release supervision of the juvenile court counselor has violated the terms of the  
30       juvenile's post-release supervision.

31       (f)     The court has jurisdiction over persons 18 years of age or older who are under  
32       the extended jurisdiction of the juvenile court.

33       (g)     The court has jurisdiction over the parent, guardian, or custodian of a juvenile  
34       who is under the jurisdiction of the court pursuant to this section if the parent, guardian,  
35       or custodian has been served with a summons pursuant to G.S. 7B-1805."

36       **SECTION 4.** G.S. 7B-1604 reads as rewritten:

37   **"§ 7B-1604. Limitations on juvenile court jurisdiction.**

38       (a)     Any juvenile, including a juvenile who is under the jurisdiction of the court,  
39       who commits a criminal offense on or after the juvenile's ~~sixteenth~~ eighteenth birthday  
40       is subject to prosecution as an adult. A juvenile who is emancipated shall be prosecuted  
41       as an adult for the commission of a criminal offense.

42       (b)     A juvenile who is transferred to and convicted in superior court shall be  
43       prosecuted as an adult for any criminal offense the juvenile commits after the superior  
44       court conviction."

1           **SECTION 5.(a)** Task Force Established. – There is established the Task  
2 Force for Juvenile Justice Administration within the Office of the Governor. The Office  
3 of the Governor shall provide professional and clerical staff and other services and  
4 supplies, including meeting space, as needed for the Task Force to carry out its duties in  
5 an effective manner.

6           **SECTION 5.(b)** Membership. – The Task Force shall consist of 17  
7 members. The following members or their designees shall serve as ex officio members:

- 8           (1) The Secretary of the Department of Juvenile Justice and Delinquency  
9 Prevention.
- 10           (2) The Director of the Administrative Office of the Courts.
- 11           (3) The Secretary of the Department of Health and Human Services.
- 12           (4) The Secretary of the Department of Correction.
- 13           (5) The Secretary of the Department of Crime Control and Public Safety.
- 14           (6) The Superintendent of Public Instruction.
- 15           (7) The Executive Director of the North Carolina Human Relations  
16 Commission of the Department of Administration.

17 The remaining members shall be appointed as follows:

- 18           (1) Three persons appointed by the General Assembly, upon  
19 recommendation of the Speaker of the House of Representatives.
- 20           (2) Three persons appointed by the General Assembly, upon  
21 recommendation of the President Pro Tempore of the Senate.
- 22           (3) One juvenile court counselor, appointed by the Governor.
- 23           (4) One representative from the Governor's Crime Commission, appointed  
24 by the Governor.
- 25           (5) One representative from the North Carolina Sentencing and Policy  
26 Advisory Commission, appointed by the Governor.
- 27           (6) One representative from the North Carolina Human Relations  
28 Commission of the Department of Administration, appointed by the  
29 Governor.

30 Appointments to the Task Force shall be made no later than September 1,  
31 2007. A vacancy in the Task Force or as chair of the Task Force resulting from the  
32 resignation of a member or otherwise shall be filled in the same manner in which the  
33 original appointment was made.

34           **SECTION 5.(c)** Duties of Task Force. – The Task Force shall study issues  
35 related to juvenile justice administration and shall analyze the legal, systematic, and  
36 organizational impact of expanding the jurisdiction of the Department of Juvenile  
37 Justice and Delinquency Prevention to include persons 16 and 17 years of age who  
38 commit crimes or infractions under State law or under an ordinance of local  
39 government. In particular, the Task Force shall:

- 40           (1) Identify the costs to the State court system and State and local law  
41 enforcement.
- 42           (2) Review the relevant State laws that should be conformed or amended  
43 as a result of revising the definition of delinquent juvenile to include  
44 16- and 17-year-old persons, including the motor vehicle and criminal

1 laws, the laws regarding expunction of criminal records, and other  
2 juvenile laws. The Task Force shall make recommendations to the  
3 General Assembly regarding proposed legislative amendments.

4 (3) Identify best practices and develop proposals to eliminate the racial  
5 disparity in complaints, commitments, community program  
6 availability, utilization and success rates, and other key decision and  
7 impact points in the juvenile justice process.

8 (4) Develop proposals regarding community programs that would provide  
9 rehabilitative services to juveniles in a treatment-oriented environment  
10 and incorporate best practices as recommended in subdivision (3) of  
11 this subsection.

12 (5) Determine the total cost of expanding the jurisdiction of the  
13 Department of Juvenile Justice and Delinquency Prevention to include  
14 persons who are 16 and 17 years of age who commit crimes or  
15 infractions under State law or under an ordinance of local government.

16 **SECTION 5.(d)** Consultation. – The Task Force shall consult with  
17 appropriate State departments, agencies, and board representatives on issues related to  
18 juvenile justice administration.

19 **SECTION 5.(e)** Report. – The Task Force shall submit an interim report to  
20 the 2008 Regular Session of the 2007 General Assembly and shall submit a final report  
21 of its findings and recommendations, including legislative, administrative, and funding  
22 recommendations, by January 15, 2009, to the General Assembly, the Governor, and the  
23 citizens of the State.

24 The Task Force shall terminate upon filing its final report.

25 **SECTION 5.(f)** Expenses of Members. – Members of the Task Force shall  
26 receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1,  
27 138-5, or 138-6, as appropriate.

28 **SECTION 5.(g)** Chair; Meetings. – The President Pro Tempore of the  
29 Senate and the Speaker of the House of Representatives shall each designate one  
30 member to serve as cochair of the Task Force.

31 The cochairs shall call the initial meeting of the Task Force on or before  
32 October 1, 2007. The Task Force shall subsequently meet upon such notice and in such  
33 manner as its members determine. A majority of the members of the Task Force shall  
34 constitute a quorum.

35 **SECTION 5.(h)** The Office of the Governor shall provide staff to the Task  
36 Force at the request of the Task Force.

37 **SECTION 5.(i)** Cooperation by Government Agencies. – The Task Force  
38 may call upon any department, agency, institution, or officer of the State or any political  
39 subdivision thereof for facilities, data, or other assistance.

40 **SECTION 5.(j)** Funding. – The Task Force may apply for, receive, and  
41 accept grants of non-State funds, or other contributions as appropriate to assist in the  
42 performance of its duties.

1                   **SECTION 6.** Sections 1 through 4 of this act become effective December 1,  
2 2009, and apply to acts or offenses committed on or after that date. The remainder of  
3 this act is effective when it becomes law.