

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE BILL 1298**

Short Title: Youthful Offender Code Study. (Public)

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Sponsors: Representatives Bordsen, Haire, Parmon, Womble (Primary Sponsors);  
Fisher, Insko, and Wainwright.

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Referred to: Judiciary II.

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April 20, 2005

A BILL TO BE ENTITLED

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2 AN ACT TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE AND  
3 DELINQUENCY PREVENTION TO STUDY THE ADVISABILITY OF  
4 ENACTING A YOUTHFUL OFFENDER CODE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** The Department of Juvenile Justice and Delinquency  
7 Prevention, in consultation with the Department of Correction, the Department of Public  
8 Instruction, and the Administrative Office of the Courts, shall study issues related to the  
9 conviction and sentencing of persons who are between the ages of 16 and 21 years, or  
10 youthful offenders, to determine whether the State should enact a youthful offender  
11 code that would provide services and treatment that have been proven effective for  
12 persons who are not yet adults. The Department shall review the youthful offender acts  
13 of other states, including New York and Georgia, and the relevant North Carolina laws  
14 and programs, including the law regarding conditional discharge and expunction of  
15 records for first offenses under G.S. 90-96, deferred prosecution under G.S. 15A-1341,  
16 the first offenders programs, and other programs for youthful offenders, including  
17 pretrial intervention programs, which have been proven effective.

18 The Department of Correction, the Department of Public Instruction, and the  
19 Administrative Office of the Courts shall cooperate with the Department of Juvenile  
20 Justice and Delinquency Prevention in conducting the study.

21 **SECTION 2.** The Department of Juvenile Justice and Delinquency  
22 Prevention shall report the results of this study, including any recommended legislation,  
23 to the Joint Corrections, Crime Control, and Juvenile Justice Oversight Committee by  
24 March 1, 2006.

25 **SECTION 3.** This act is effective when it becomes law.