

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 668

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

Sponsors: Representatives Richardson, Faircloth, and Hardister (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

April 27, 2021

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.

