

February 18, 2003

**H 33. PRIVATE PROSECUTION/FELONY OFFENSES. TO AUTHORIZE PRIVATE PROSECUTIONS OF FELONY OFFENSES AND TO AMEND THE NORTH CAROLINA CONSTITUTION TO AUTHORIZE PRIVATE PROSECUTIONS OF FELONY OFFENSES.** Adds new Art. 9A to GS Ch. 7A authorizing attorney retained by private citizen to prosecute felony offenses upon the issuance of a bill of indictment by grand jury. Provides for designation of private attorneys as special prosecutors and requires that special prosecutor must provide district attorney with written notice of intent to prosecute and that upon receipt of such notice district attorney shall schedule case before a grand jury. Prohibits concurrent prosecution of offenses by district attorney and special prosecutor. Requires a referendum during next statewide general election on proposed amendment to Art. IV, Sec. 18 of NC Constitution to provide that criminal prosecutions shall be handled by district attorney unless otherwise provided by law.

**Intro. by Luebke (by request).**

Ref. to Judiciary I	CONST, GS 7A
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