



CHAPTER 15A
ARTICLE 3 - VENUE

N.C.G.S. § 15A-133.

Waiver of venue; motion for change of venue; indictment may be returned in other county.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 688, s. 2 — sixth act in the lineage	21 September 2026, 06:17 UTC	92f0f361afc8a690314d03 - 4c860f98835caa3a2145c05f - 807dd3bd67777ae1

- § 15A-133(a)** A waiver of venue must be in writing and signed by the defendant and the prosecutor indicating the consent of all parties to the waiver. The waiver must specify what stages of the proceedings are affected by the waiver, and the county to which venue is changed. If the venue is to be laid in a county in another prosecutorial district, the consent in writing of the prosecutor in that district must be filed with the clerks of both counties.
- § 15A-133(b)** Repealed by Session Laws 1989, c. 688, s. 2.
- § 15A-133(c)** Motions for change of venue by the defendant are made under G.S. 15A-957. If venue is laid in a county in another prosecutorial district by order of the judge ruling on the motion, no consent of any prosecutor is required.
- § 15A-133(d)** If venue is changed to a county in another prosecutorial district, whether upon waiver of venue or by order of a judge, the prosecutor of the prosecutorial district where the case originated must prosecute the case unless the prosecutor of the district to which venue has been changed consents to conduct the prosecution.
- § 15A-133(e)** If venue is changed, whether upon waiver of venue or by order of a judge, the grand jury in the county to which venue has been transferred has the power to return an indictment in the case. If an indictment has already been returned before the change of

venue, no new indictment is necessary and prosecution may be had in the new county under the original indictment.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
6 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1919		1954		1989
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1921	c. 12, ss. 1, 2	ENACTED	
02	C.S.	ss. 4606(a), 4606(b)	RECODIFIED	
03	1973	c. 1286, s. 1	AMENDED	
04	1975	c. 166, s. 27	AMENDED	
05	1975	1987 (Reg. Sess., 1988), c. 1037, s. 54	AMENDED	
06	1989	c. 688, s. 2	AMENDED	

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 15A-957	(c)	"by the defendant are made under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-133 (1989).

PINPOINT

N.C. Gen. Stat. § 15A-133(a) (1989).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1921, c. 12, ss. 1, 2; C.S., ss. 4606(a), 4606(b); 1973, c. 1286, s. 1; 1975, c. 166, s. 27; 1987 (Reg. Sess., 1988), c. 1037, s. 54; 1989, c. 688, s. 2.)

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