



CHAPTER 15A

ARTICLE 31 - THE GRAND JURY AND ITS PROCEEDINGS

N.C.G.S. § 15A-628.

Functions of grand jury; record to be kept by clerk.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	1987 (Reg. Sess., 1988), c. 1037, s. 59 — third act in the lineage	21 September 2026, 04:24 UTC	4517a94763c63215b62e7a4a - 747ed3236a9d22953f951faa - d7b4c18c4787cabe

§ 15A-628(a)

A grand jury:

- (1) Must return a bill submitted to it by the prosecutor as a true bill of indictment if it finds from the evidence probable cause for the charge made.
- (2) Must return a bill submitted to it by the prosecutor as not a true bill of indictment if it fails to find probable cause for the charge made. Upon returning a bill of indictment as not a true bill, the grand jury may request the prosecutor to submit a bill of indictment as to a lesser included or related offense.
- (3) May return the bill to the court with an indication that the grand jury has not been able to act upon it because of the unavailability of witnesses.
- (4) May investigate any offense as to which no bill of indictment has been submitted to it by the prosecutor and issue a presentment accusing a named person or named persons with one or more criminal offenses if it has found probable cause for the charges made. An investigation may be initiated upon the concurrence of 12 members of the grand jury itself or upon the request of the presiding or convening judge or the prosecutor.
- (5) Must inspect the jail and may inspect other county offices or agencies and must report the results of its inspections to the court.

§ 15A-628(b)

In proceeding under subsection (a), the grand jury may consider any offense which may be prosecuted in the courts of the county, or in the courts of the superior court

district or set of districts as defined in G.S. 7A-41.1 when there has been a waiver of venue in accordance with Article 3 of this Chapter, Venue.

§ 15A-628(c) Bills of indictment submitted by the prosecutor to the grand jury, whether found to be true bills or not, must be returned by the foreman of the grand jury to the presiding judge in open court. Presentments must also be returned by the foreman of the grand jury to the presiding judge in open court.

§ 15A-628(d) The clerk must keep a permanent record of all matters returned by the grand jury to the judge under the provisions of this section.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
3 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.

1973		1974		1975	
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT		CHARACTER	
01	1973	c. 1286, s. 1		ENACTED	
02	1975	c. 166, s. 27		AMENDED	
03	1975	1987 (Reg. Sess., 1988), c. 1037, s. 59		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. 7A-41.1	(b)	"set of districts as defined in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-628 (1975).

PINPOINT

N.C. Gen. Stat. § 15A-628(a) (1975).

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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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1973, c. 1286, s. 1; 1975, c. 166, s. 27; 1987 (Reg. Sess., 1988), c. 1037, s. 59.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

