



CHAPTER 7B

ARTICLE 19 - TEMPORARY CUSTODY; SECURE AND NONSECURE CUSTODY; CUSTODY HEARINGS

N.C.G.S. § 7B-1905.

Place of secure or nonsecure custody.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-180, s. 19C.9(dd) — eleventh act in the lineage	21 September 2026, 04:14 UTC	bcdcff61a933b54879fae85c - efc8447c7ca6d4c8f438ca5c - 99766341c7525e40

§ 7B-1905(a)

A juvenile meeting the criteria set out in G.S. 7B-1903(a), may be placed in nonsecure custody with a department of social services or a person designated in the order for temporary residential placement in:

- (1) A licensed foster home or a home otherwise authorized by law to provide such care;
- (2) A facility operated by a department of social services; or
- (3) Any other home or facility approved by the court and designated in the order.

In placing a juvenile in nonsecure custody, the court shall first consider whether a relative of the juvenile is willing and able to provide proper care and supervision of the juvenile. If the court finds that the relative is willing and able to provide proper care and supervision, the court shall order placement of the juvenile with the relative unless the court finds that placement with the relative would be contrary to the best interest of the juvenile. Placement of a juvenile outside of this State shall be in accordance with the Interstate Compact on the Placement of Children set forth in Article 38 of this Chapter.

§ 7B-1905(b)

Pursuant to G.S. 7B-1903(b), (c), or (d), a juvenile may be temporarily detained in an approved detention facility. It shall be unlawful for a sheriff or any unit of government to operate a juvenile detention facility unless the facility meets the standards and rules adopted by the Department of Public Safety and has been approved by the Division of Juvenile Justice for operation as a juvenile detention facility.

§ 7B-1905(c)

A juvenile who has allegedly committed an offense that would be a Class A, B1, B2, C, D, or E felony if committed by an adult may be detained in secure custody in a holdover facility up to 72 hours, if the court, based on information provided by the juvenile court counselor, determines that no acceptable alternative placement is available and the protection of the public requires the juvenile be housed in a holdover facility.

§ 7B-1905(d)

If, pursuant to the criteria in G.S. 7B-1903(b), secure custody is ordered for any person 18 years of age or older who falls within the jurisdiction of the court, pursuant to G.S. 7B-1601(d) or G.S. 7B-1601(d1), the person may be temporarily detained in the county jail where the charges arose.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
11 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.



Nº	YEAR	ACT	CHARACTER
01	1979	c. 815, s. 1	ENACTED
02	1983	c. 639, ss. 1, 2	AMENDED
03	1997	S.L. 1997-390, s. 4	AMENDED
04	1997	S.L. 1997-443, s. 11A.118(a)	AMENDED
05	1998	S.L. 1998-202, s. 6	AMENDED
06	1998	S.L. 1998-229, s. 3	AMENDED
07	1999	S.L. 1999-423, s. 14	AMENDED
08	2001	S.L. 2001-490, s. 2.15	AMENDED
09	2012	S.L. 2012-172, s. 4	AMENDED
10	2019	S.L. 2019-186, s. 6	AMENDED
11	2021	S.L. 2021-180, s. 19C.9(dd)	AMENDED

APPARATUS II

5 AUTHORITIES

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. 7B-1903(a)	(a)	"meeting the criteria set out in"
G.S. 7B-1903(b), (c), or (d)	(b)	"Pursuant to"
G.S. 7B-1903(b)	(d)	"If, pursuant to the criteria in"
G.S. 7B-1601(d)	(d)	"jurisdiction of the court, pursuant to"
G.S. 7B-1601(d1)	(d)	"court, pursuant to G.S. 7B-1601(d) or"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 7B-1905 (2021).

PINPOINT

N.C. Gen. Stat. § 7B-1905(a) (2021).

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

(1979, c. 815, s. 1; 1983, c. 639, ss. 1, 2; 1997-390, s. 4; 1997-443, s. 11A.118(a); 1998-202, s. 6; 1998-229, s. 3; 1999-423, s. 14; 2001-490, s. 2.15; 2012-172, s. 4; 2019-186, s. 6; 2021-180, s. 19C.9(dd).)

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