

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 547  
SENATE BILL 416

AN ACT TO STRENGTHEN THE RAPE SHIELD EVIDENCE RULE BY MAKING  
IT CLEAR THAT IT APPLIES TO ALL OFFENSES BEING TRIED AT THE  
SAME TIME AS THE RAPE OR SEX OFFENSE CHARGE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 8C-1, Rule 412(d) is amended by rewriting the first sentence of that subsection to read:

"Notwithstanding any other provision of law, unless and until the court determines that evidence of sexual behavior is relevant under subdivision (b), no reference to this behavior may be made in the presence of the jury and no evidence of this behavior may be introduced at any time during the trial of:

- (1) A charge of rape or a lesser included offense of rape;
- (2) A charge of a sex offense or a lesser included offense of a sex offense;  
or
- (3) An offense being tried jointly with a charge of rape or a sex offense, or with a lesser included offense of rape or a sex offense."

Sec. 2. This act shall become effective October 1, 1985, and shall apply to trials beginning on or after that date.

In the General Assembly read three times and ratified, this the 1st day of July, 1985.