

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

1

HOUSE BILL 1324*

Short Title: Sex Offender Post-Release Supervision.

(Public)

Sponsors: Representatives Justus; and Thompson.

Referred to: Judiciary II.

May 23, 1996

A BILL TO BE ENTITLED

1 AN ACT TO EXTEND THE REGULAR PERIOD OF POST-RELEASE
2 SUPERVISION FROM SIX TO NINE MONTHS, TO EXTEND THE PERIOD OF
3 POST-RELEASE SUPERVISION TO FIVE YEARS FOR SEX OFFENDERS AND
4 TO PROVIDE FOR SPECIAL CONDITIONS OF POST-RELEASE SUPERVISION
5 FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES
6 INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF MINORS.

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S 15A-1368.2(c) reads as rewritten:

9 "(c) A supervisee's period of post-release supervision shall be for a period of ~~six~~
10 ~~months~~ nine months, unless the offense is an offense for which registration is required
11 pursuant to Article 27A of Chapter 14 of the General Statutes. For offenses subject to the
12 registration requirement of the aforementioned statute, the period of post-release
13 supervision is five years. The conditions of post-release supervision are as authorized in
14 G.S. 15A-1368.5."
15

16 Sec. 2. G.S. 15A-1368.4 is amended by adding a new subsection to read:

17 "(b1) Required Conditions for Sex Offenders. – For a supervisee who has been
18 convicted of an offense which is a reportable conviction as defined in G.S. 14-208.6(4),
19 or which involves the physical, mental, or sexual abuse of a minor, controlling
20 conditions, violations of which may result in revocation of post-release supervision, are:

- 1 (1) Register as required by G.S. 14-208.7 if the offense is a reportable
2 conviction as defined by G.S. 14-208.6(4).
- 3 (2) Participate in such evaluation and treatment as is necessary to complete
4 a prescribed course of psychiatric, psychological, or other rehabilitative
5 treatment as ordered by the Commission.
- 6 (3) Not communicate with, be in the presence of, or found in or on the
7 premises of the victim of the offense.
- 8 (4) Not reside in a household with any minor child if the offense is one in
9 which there is evidence of physical, mental, or sexual abuse of a minor,
10 unless a court of competent jurisdiction expressly finds that it is
11 unlikely that the defendant's harmful or abusive conduct will recur and
12 that it would be in the child's best interest to allow the supervisee to
13 reside in the same household with a minor child."

14 Sec. 3. This act becomes effective December 1, 1996.