

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1147

Short Title: Amend Stalking Law.

(Public)

Sponsors: Senators Rand; and Garrou.

Referred to: Judiciary I.

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW REGARDING STALKING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-277.3 reads as rewritten:

"§ 14-277.3. Stalking.

(a) Offense. – A person commits the offense of stalking if the person willfully on more than one occasion follows or follows, is in the presence of of, or otherwise harasses another person without legal purpose and (i) with the intent to cause death or bodily injury or with the intent to cause emotional distress by placing that person in reasonable fear of death or bodily injury. place that person in reasonable fear for his safety, or the safety of his immediate family or loved ones, or (ii) with the intent to cause that person to suffer emotional distress by placing that person in fear of death, bodily injury, or continued harassment, and the person in fact causes that person substantial emotional distress.

(b) Classification. —A violation of this section is a Class 1 misdemeanor. A person who commits the offense of stalking when there is a court order in effect prohibiting similar behavior is guilty of a Class A1 misdemeanor. A second or subsequent conviction for stalking occurring within five years of a prior conviction of the same defendant is punishable as a Class I felony. —A violation of this section is a Class H felony. A person who commits the offense of stalking when there is a court order in effect prohibiting such

1 conduct is guilty of a Class F felony. A person who commits the offense of stalking after
2 having been previously convicted of a stalking offense is guilty of a Class F felony.

3 (c) Definition. – For the purposes of this section, 'harasses' or 'harassment' means
4 knowing conduct, including but not limited to written or printed communication or
5 transmission, telephone or cellular or other wireless telephonic communication, facsimile
6 transmission, pager messages or transmissions, answering machine or voice mail
7 messages or transmissions, and electronic mail messages or other computerized or
8 electronic transmissions, directed at a specific person that annoys, torments, terrorizes, or
9 terrifies a person, and that serves no legitimate purpose."

10 Section 2. This act becomes effective December 1, 1999, and applies to
11 offenses committed on or after that date.