

April 5, 1999

S 742. TEACHER/STUDENT/NO SEX ACTS-2. TO MAKE IT UNLAWFUL FOR A SCHOOL TEACHER OR ADMINISTRATOR TO ENGAGE IN SEXUAL ACTS WITH A STUDENT. Amends GS 14-27.7 to make it a Class G felony (unless another law provides for greater punishment) for a defendant who is employed as a teacher or administrator in a school to engage in vaginal intercourse or a sexual act with a victim who is 16, 17, or 18 years old and attends classes at that school. Provides that consent is not a defense. Effective Dec. 1, 1999, and applies to offenses committed on or after that date.

Intro. by Dalton and Garrou.

Ref. to Judiciary II

GS 14

April 15, 1999

S 742. TEACHER/STUDENT/NO SEX ACTS. Intro. 4/5/99. Senate committee substitute makes the following changes to 1st edition. Makes new GS 14-27.7(b) applicable to victims who are 16 or 17 years old (was, 16, 17, or 18 years old); reduces penalty for violation of new law to Class H felony (was, Class G felony).

July 7, 1999

S 742. TEACHER/STUDENT/NO SEX ACTS. Intro. 4/5/99. Conference report makes following changes to 3rd edition to reconcile matters in controversy. Rewrites proposed GS 14-202.4 to provide that it is Class I felony for teacher, school administrator, student teacher or coach, to take indecent liberties with a student at any time during or after the time the defendant and victim were present together at same school. Student (defined as being in grades kindergarten through 12) must still be enrolled. Creates similar Class I felony applicable to school personnel or volunteer, but personnel must be at least four years older than student; if age difference is less than four years, crime is Class A1 misdemeanor. Provides exemption if defendant and student are married. Consent is not defense. Defines indecent liberties, but specifically excludes from definition vaginal intercourse or sexual act as defined by GS 14-27.1. Rewrites proposed amendment to GS 14-27.7 to make it Class G felony for teacher, school administrator, student teacher or coach, to engage in vaginal intercourse or sex act with a student at any time during or after the time the defendant and victim were present together at same school. Student (grades kindergarten through 12) must still be enrolled. Creates similar Class G felony applicable to school personnel or volunteer, but personnel must be at least four years older than student; if age difference is less than four years, crime is Class A1 misdemeanor. Provides exemption if defendant and student are married. Applies to offenses committed on or after Dec. 1, 1999.