

April 11, 2001

**H 1097. SEX OFFENSES/AMEND PLEA BARGAIN LAWS.** *TO PROVIDE THAT A DEFENDANT WHO COMMITS A SEX OFFENSE THAT RESULTS IN THE VICTIM BECOMING PREGNANT SHALL NOT EXPLOIT HIS PARENTAL RIGHTS TO INTIMIDATE THE CRIME VICTIM OR NEGOTIATE A MORE FAVORABLE PLEA ARRANGEMENT.* Creates GS 14-226.2 to make it a Class H felony for a defendant who commits a sex offense that results in the victim's becoming pregnant to negotiate or attempt to negotiate a more favorable plea arrangement by threatening to exploit the defendant's parental rights with regard to adoption, visitation, custody, care, or welfare of the child. Enacts GS 15A-1021(b1) regarding plea conferences to prohibit defendants or persons representing defendants from bringing improper pressure upon the victim of a crime. Enacts GS 15A-1013 to provide that if the offense is a sex offense that results in the victim's becoming pregnant, the parties may not consider parental rights in negotiations without the prior permission of the judge, the substance of plea negotiations must be disclosed to the judge, and allows a non-appealable decision by the judge to reject the plea arrangement. Effective Dec. 1, 2001.

**Intro. by Ellis.**

Ref. to Judiciary I	GS 14, 15A
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