

February 27, 2003

H 108. HABITUAL MISD. LARCENY/FELONY. TO CREATE THE OFFENSE OF HABITUAL MISDEMEANOR LARCENY. Adds new GS 14-86.2 to establish crime indicated in title. Provides that offense is committed if person (i) is 18 years of age or older, (ii) commits misdemeanor larceny under GS 14-72(a), and (iii) has five or more prior misdemeanor larceny convictions. Makes conviction a Class H felony. Defines conviction for purposes of this crime to mean adjudication of guilt or a plea of guilty or no contest to the misdemeanor larceny charge, and the judgment has been entered thereon when the action occurred. Also provides that if an offender is convicted of more than one offense of misdemeanor larceny in a single session of district court, or in a single week of superior court or of a court in another jurisdiction, only one of the convictions may be used to establish the offense of habitual misdemeanor larceny. Effective Dec. 1, 2003, and applies to offenses committed on or after that date.

Intro. by Moore.

Ref. to Judiciary III	GS 14
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April 28, 2003

H 108. HABITUAL MISD. LARCENY/FELONY. Intro. 2/27/03. House committee substitute adopted 4/24/03 changes 1st edition by adding GS 14-86.2(d) to provide that violation of the offense of habitual misdemeanor larceny shall not constitute the commission of a felony for purposes of the sentencing of habitual felons.