

March 27, 2003

H 732. STREET GANG TERRORISM PREVENTION ACT. TO ENACT THE NORTH CAROLINA STREET GANG TERRORISM AND PREVENTION ACT OF 2003. Enacts new GS Ch. 14, Art. 13A, making the following activities related to criminal street gangs (as defined by act) and patterns of criminal gang activity (as defined by act) unlawful: (1) participation by a person employed or associated with a criminal street gang in a criminal street gang through a pattern of criminal gang activity (class E felony); (2) acquiring or maintaining through a pattern of criminal gang activity or proceeds derived there from any interest in or control of real property, personal property, or money (class E felony); (3) engaging or conspiring to engage in a pattern of criminal gang activity by an organizer, supervisor, or manager of a criminal street gang (10 year sentence served consecutively to any other sentence imposed by law); (4) causing, encouraging, soliciting, or coercing another to participate in a criminal street gang (class G felony); (5) communicating certain threats with the intent of deterring a person from assisting the withdrawal of a member or associate from a criminal street gang (class G felony); (6) communicating certain threats with the intent to punish or retaliate against a person for having withdrawn from a criminal street gang (class G felony). Provides for seizure and forfeiture as contraband of property that is directly or indirectly used or intended for use in facilitating violation of this article and any property constituting or derived from gross profits or proceeds obtained from violating this article. Declares real property used by criminal street gangs to be a public nuisance. Effective Dec. 1, 2003; applies to offenses committed on or after effective date.

Intro. by Michaux.

Ref. to Judiciary III	GS 14
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April 15, 2003

H 732. STREET GANG TERRORISM PREVENTION ACT. Intro. 3/27/03. House committee substitute makes the following changes to 1st edition. Amends GS 14-50.17(2) to provide that at least one offense shall occur after Dec. 1, 2003 (was, July 1, 2003). Amends GS 14-50.18(g)(2) to provide that a person who violates subsections (a), (b), (d), (e), or (f) of sec., and also violates subsection (c), shall be punished by imprisonment for an additional 10 years. Amends GS 14-50.21 to clarify that if property is owned by non-member of gang, sec. shall apply only if person has knowledge of criminal gang activity. Makes technical changes.