

April 2, 2003

S 693. AMEND ENHANCED SENTENCING LAWS. TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION AND TO MAKE CONFORMING CHANGES. Amends GS 15A-1340.16A (enhanced sentence for use of firearm during Class A-E felony, - 1340.16B (life without parole for second Class B1 felony if victim 13 or less and no mitigating factors), and - 1340.16C (punishment at one class higher felony if bulletproof vest used in commission of felony) to require that the fact enhancing the punishment be pleaded in indictment and if there is a trial, proved beyond a reasonable doubt at the same trial in which the underlying charge is disposed of. If the only fact in dispute is the enhancement, then a jury must be impaneled to determine that issue. Effective when becomes law for offenses committed on or after that date.

Intro. by Thomas.

Ref. to Judiciary II	GS 14, 15A
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April 23, 2003

S 693. AMEND ENHANCED SENTENCES LAWS. Intro. 4/2/03. Senate committee substitute makes the following changes to 1st edition. Makes technical changes only.

May 19, 2003

S 693. AMEND ENHANCED SENTENCING LAWS. Intro. 4/2/03. House committee substitute makes the following changes to 2nd edition. Makes technical and conforming changes only.

May 22, 2003

S 693. AMEND ENHANCED SENTENCES LAWS. Intro. 4/2/03. House amendment makes the following changes to 3rd edition. Amends GS 15A-1340.16C(a) (providing for enhanced sentence if defendant is wearing or in possession of bullet-proof vest) by deleting exemption for law enforcement officers.

July 15, 2003

S 693. AMEND ENHANCED SENTENCES LAWS. Intro. 4/2/03. Conference report recommends the following changes to 4th edition to reconcile matters in controversy. Adds to GS 15A-1340.16C (enhanced sentence for felon with bulletproof vest) a provision making the section inapplicable to law enforcement officers unless the state proves beyond a reasonable doubt both (1) that the officer was not performing or attempting to perform a law enforcement function, and (2) that the officer knowingly wore or had in his or her possession a bulletproof vest at the time of the commission of the felony for the purpose of aiding the officer in the commission of the felony.

August 8, 2003

SL 2003-378 (S 693). AMEND ENHANCED SENTENCES LAWS. AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION AND TO MAKE CONFORMING CHANGES. Summarized in *Daily Bulletin* 4/2/03, 4/23/03, 5/19/03, 5/22/03, and 7/15/03. Enacted August 1, 2003. Effective August 1, 2003.