

March 24, 2005

S 1039. INCREASE PENALTIES/2ND DEGREE RAPE. TO STRENGTHEN PENALTIES FOR COMMITTING SECOND-DEGREE RAPE OR SECOND-DEGREE SEXUAL OFFENSE. Amends GS 14-27.3 and 14-27.5 to eliminate from elements of second degree rape and second degree sexual offense that act be by force and to increase punishment from Class C to B2 felony. Enacts new GS 15A-1340.16E to enhance punishment for conviction of first- or second-degree rape or sexual offense if committed by using date rape drugs. Applies to offenses committed on or after December 1, 2005.

Intro. by Jenkins.

Ref. to Judiciary I

GS 14

May 31, 2005

S 1039. INCREASE RAPE PENALTIES/HELPLESS VICTIMS (NEW). Intro. 3/24/05. Senate committee substitute makes the following changes to 1st edition. Deletes amendment to GS 14-27.3 and 14-27.5 that would have deleted force as an element of the offenses of second-degree rape and sexual offense. Deletes proposed new GS 15A-1340.16E, which would have enhanced the punishment for conviction of first- or second-degree rape or sexual offense if committed by using date rape drugs. Enacts new GS 14-27.2(3) and 14-27.4(3) to provide that if a person who commits rape or a sexual offense against a person who is mentally disabled or physically helpless knows or reasonably should know of victim's condition, person is guilty of first-degree rape or first-degree sexual offense, respectively. Provides that prosecutions for offenses committed before effective date of act are not abated or affected by act.

July 27, 2005

S 1039. INCREASE RAPE PENALTIES/HELPLESS VICTIMS. Intro. 3/24/05. Senate committee substitute makes the following changes to 2nd edition. Makes technical changes only.