

March 24, 2005

S 1080. CRIMINAL CHANGES. *TO INCREASE THE PENALTY FOR DISCHARGING A FIREARM INTO A MOVING VEHICLE, TO CREATE THE OFFENSE OF AGGRAVATED ASSAULT ON A FEMALE, TO AMEND THE FALSE REPORT OF A BOMB STATUTE, TO INCREASE THE PENALTY FOR SALE OR DELIVERY OF TWO POUNDS OR MORE OF MARIJUANA, AND TO INCREASE REGULATORY PROVISIONS RELATING TO REGISTERED SEX OFFENDERS.* Amends GS 14-34.1 to provide that discharging a firearm into a vehicle, aircraft, watercraft, or other conveyance on public highway, parking area, or waterway is a Class D felony except that if the discharge causes serious injury it is a Class B2 felony. Adds GS 14-34.7A to make it a Class F felony for a male person, who is at least 18 years of age, to assault a female and inflict serious injury. Amends GS 14-69.1, regarding crime of making false reports about destructive devices, to provide that it applies to reports that device is located in sufficient proximity to as well as in public building. Amends GS 90-95(b) to provide that sale or delivery or possession with intent to sell or deliver, of more than two pounds, but less than 50 pounds, of marijuana is punished as Class H felony. Applies to offenses committed on or after December 1, 2005.

Intro. by Berger of Rockingham.

Ref. to Judiciary I

GS 14, 90

June 1, 2005

S 1080. SEX OFFENDER REGISTRY/CRIMINAL LAW CHANGES (NEW). Intro. 3/24/95. Senate committee substitute makes the following changes to 1st edition. Deletes provisions in original bill increasing the penalty for discharging a firearm into a motor vehicle, creating the offense of aggravated assault on a female, and amending the false report of a bomb statute. Changes title accordingly. Creates new GS 90-95(b1) to enhance the penalty for selling, delivering, or possessing two pounds but less than 10 pounds of marijuana. The offense is a Class H felony, with a minimum sentence of 20 months and a maximum of 24 months in prison, and a fine of not less than \$1,000 or more than \$5,000. Replaces blank portions of original bill with amendments relating to the Sex Offender Registry Program. Amends GS 14-208.5 (the purpose section of the Sex Offender registry Program) to specify that the program is intended to make citizens aware of offenders posing a high risk of engaging in sexual offenses. Amends GS 14-208.7 to require the clerk of court to notify the Division of Statistics, State Bureau of Investigation whenever a person is convicted of an offense that requires registration. Amends GS 14-208.11 to add restrictions for offenders convicted of sexual abuse of a minor. Restrictions include that the offender not communicate with or be in the presence of the victim or hold employment or work as a volunteer in any position that involves daily or regular supervision, contact, or association with minors. Amends GS 20-7(b1) to require the Division of Motor Vehicles (DMV) to provide all applicants for drivers licenses information about the sex offender registration program and to inquire whether the applicant is required to be registered. Requires that DMV confirm registration of all offenders applying for a drivers license. No license can be issued to an offender who is required to be registered but is not. Also requires that the drivers license of a registered offender reflect the registration.