

February 7, 2005

**S 61. FELONY DEATH/SERIOUS INJURY BY VEHICLE. TO STRENGTHEN THE LAWS AGAINST IMPAIRED DRIVING BY INCREASING THE PUNISHMENT FOR FELONY DEATH BY VEHICLE AND CREATING THE OFFENSE OF FELONY SERIOUS INJURY BY VEHICLE.**

Amends GS 20-141.4 to raise the punishment for felony death by vehicle (unintentionally causing death while driving while impaired) from Class G felony to Class D felony. Amends same section to add new offense of unintentionally causing serious injury to another while driving while impaired in regular or commercial vehicle; new offense is Class E felony. Effective Dec. 1, 2005, for offenses committed on and after that date.

**Intro. by Thomas.**

Ref. to Judiciary II

GS 20

July 28, 2005

**S 61. FELONY DEATH/SERIOUS INJURY BY VEHICLE.** Intro. 2/7/05. House committee substitute makes the following changes to 1st edition. Adds reference to new offense of serious injury by vehicle to GS 20-4.01 (listing impaired driving offenses), GS 20-19(c3)(3) (requiring that upon restoration of a driver's license, Division of Motor Vehicles restrict persons convicted of certain listed offenses from operating a motor vehicle with an alcohol concentration of greater than 0.00), and GS 20-168(b) (listing provisions of Motor Vehicle Act from which operators of State vehicles are not exempted by section). Further amends GS 20-19(c3) to include driver's license revocations under GS 20-17(a)(3) (motor vehicle felonies) in list of offenses covered and amends GS 15A-830(a)(7)c. (Crime Victims' Rights Act) to delete GS 20-141.4 from list of offenses that would make person a victim as defined in Act.

August 30, 2005

**S 61. FELONY DEATH BY VEHICLE/SEX OFFENDER AMEND (NEW).** Intro. 2/7/05. House committee substitute makes the following changes to 2nd edition. Deletes provisions establishing criminal offense for serious injury by vehicle. Increases felony death by vehicle (GS 20-141.4) from a Class G to E felony (was, from Class G to D). Adds new GS 50C-5.1 allowing a victim of a sexually violent offense (as defined in GS 14-208.6) to obtain a civil no-contact order against a person who is required to register as a sexual offender under Article 27A of GS Chapter 14 and who resides or works at a place of employment within a quarter mile of the victim's residence, school, place of employment, or other specified place. New provisions regarding victims of sexually violent offenses become effective October 1, 2005, and apply to offenses committed on or after that date.

August 31, 2005

**S 61. FELONY DEATH BY VEHICLE/SEX OFFENDER AMEND.** Intro. 2/7/05. House committee substitute makes the following changes to 3rd edition. Amends GS 7A-133(a) effective December 1, 2005, to increase the number of district court judges in District 14 (Durham County) from six to seven and effective December 1, 2006, to increase the number of district court judges in District 15B (Orange and Chatham counties) from four to five. Provides for the Governor's initial appointment of the new Durham County district court judge and the election of that judge's successor and the new Orange/Chatham County district court judge in the 2006 general election. Also amends GS 7A-60(a1) to increase the number of full-time assistant district attorneys in District 9A (Person and Caswell counties) from four to five, in District 14 (Durham County) from thirteen to fifteen, in District 15A (Alamance County) from eight to nine, and in District 17B (Stokes and Surry counties) from five to six. Effective December 1, 2005, appropriates from the Reserve for DWI Task Force Recommendations to the Judicial Department \$381,973 for 2005-06 and \$670,905 for 2006-07 to fund the new positions described above and to fund new deputy clerk positions for Durham and Orange counties. Also designates those ten counties with the highest rate of unemployment for November 2003 through October 2004 as an enterprise tier one area for the last quarter of 2005. Provides that these counties are considered to have the tier one designation for the 2005 calendar year under GS 105-129.3(c).

August 31, 2005

**S 61. FELONY DEATH BY VEHICLE/SEX OFFENDER AMEND.** Intro. 2/7/05. House amendments make the following changes to 4th edition. Amendment # 2 amends GS 7A-133(a), effective December 1, 2006, to increase the number of district court judges in District 27B (Cleveland and Lincoln counties) from four to five and increases the appropriation from the Reserve for DWI Task Force Recommendations to the Judicial Department to \$745,179 (was, \$670,905) to establish that position. Amendment # 1 amends GS 7A-60(a1), effective December 1, 2005, to increase the number of full-time district attorneys in District 24 (Avery, Madison, Mitchell, Watauga, and Yancey counties) from four to five. Appropriates from the Reserve for DWI Task Force Recommendations to the General Fund an additional \$54,855 for 2005-06 and \$78,154 for 2006-07 to establish that position.