

April 18, 2007

H 1682. NORTH CAROLINA NO PLACE FOR TORTURE ACT. Filed 4/18/07. *TO PUNISH TORTURE, KIDNAPPING, AND ENFORCED DISAPPEARANCE OF PERSONS.*

Enacts new GS 14-34.9 to: (1) make it a Class C felony for anyone to commit, or attempt to commit torture, kidnapping, or the enforced disappearance of persons; (2) make it a Class D felony for anyone to conspire to do the same, whether the act or attempt takes place inside or outside NC, if any part of the conspiracy is performed or formulated within NC; (3) make it a Class B felony if death results to any person from the conduct prohibited in #1 or #2. Defines *conspiracy, enforced disappearance of persons, kidnapping, official capacity, public official, and torture*, and specifies certain jurisdictional requirements. Makes conforming changes to GS 15A-622(h). Effective July 1, 2007.

Intro. by Jones, Luebke.

GS 14, 15A

May 17, 2007

H 1682. STUDY/NC NO PLACE FOR TORTURE ACT (NEW). Filed 4/18/07. House committee substitute deletes the provisions of the 1st edition and replaces it with *AN ACT TO REQUIRE THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO STUDY THE MOST APPROPRIATE PENALTIES FOR LEGISLATION MAKING TORTURE, ENFORCED DISAPPEARANCE, AND RELATED ACTS UNLAWFUL IN NORTH CAROLINA, RECOGNIZING THE SEVERITY OF THESE CRIMES WHILE MAKING THE SENTENCING CONSISTENT WITH SENTENCES IMPOSED FOR RELATED CRIMES SUCH AS KIDNAPPING.* Requires the North Carolina Sentencing and Policy Advisory Commission to study the most appropriate penalties for legislation making torture, enforced disappearance, and related acts crimes. Requires the Sentencing Commission to report its findings to the Speaker of the House of Representatives and the President Pro Tem. of the Senate by January 31, 2008.