

April 18, 2007

H 1810. VAWA 2005 COMPLIANCE. Filed 4/18/07. *TO BRING STATE LAW INTO COMPLIANCE WITH THE FEDERAL VIOLENCE AGAINST WOMEN ACT OF 2005.*

Enacts new GS 15A-831.1 to (1) prohibit a criminal or juvenile justice agency from requiring a person claiming to be a victim of sexual assault or a witness regarding the sexual assault of another person to submit to a polygraph or similar examination as a precondition to the agency conducting an investigation into the matter; (2) require an agency that wishes to perform a polygraph examination of a person claiming to be a victim or witness of a sexual assault to inform the person that the polygraph examination is voluntary, that the results are not admissible in court, and that the person's decision to submit or refuse a polygraph examination cannot be the sole basis for a decision by the agency not to investigate; and (3) require an agency that declines to investigate an alleged case of sexual assault after a person claiming to be a victim declines to submit to a polygraph examination to provide to the person, in writing, the reasons why the agency did not pursue the investigation.

Effective December 1, 2007, and applies to sexual assault offenses alleged to have been committed on or after that date.

Intro. by Ross.

GS 15A

May 9, 2007

H 1810. VAWA 2005 COMPLIANCE. Filed 4/18/07. House committee substitute makes the following changes to 1st edition. Requires that the Administrative Office of the Courts and others develop a form to comply with the criminal case firearm notification requirements of the federal Violence Against Women Act of 2005, and that the form be available no later than December 31, 2007. Effective January 1, 2008, the court must provide the form to all defendants convicted of crimes subject to the notification requirements.

July 31, 2007

SL 2007-294 (H 1810). VIOLENCE AGAINST WOMEN ACT 2005 COMPLIANCE. *AN ACT TO BRING STATE LAW INTO COMPLIANCE WITH THE FEDERAL VIOLENCE AGAINST WOMEN ACT OF 2005.* Summarized in *Daily Bulletin* 4/18/07 and 5/9/07. Enacted July 28, 2007. Section 1 is effective December 1, 2007. The remainder is effective July 28, 2007.