

March 27, 2007

S 1508. SEX OFFENDER REGISTER/CRIME AGAINST NATURE. Filed 3/27/07. *TO PROVIDE THAT A PERSON CONVICTED OF THE CRIMINAL OFFENSE OF CRIME AGAINST NATURE COMMITTED AGAINST A VICTIM WHO IS A MINOR MUST REGISTER AS A SEX OFFENDER AND TO PROVIDE THAT THE COURT SHALL NOT APPROVE ANY PLEA BARGAIN THAT ALLOWS A DEFENDANT WHO COMMITTED AN OFFENSE AGAINST A MINOR VICTIM THAT REQUIRES REGISTRATION AS A SEX OFFENDER TO PLEAD TO A CRIME THAT DOES NOT REQUIRE REGISTRATION OR THAT REQUIRES A SHORTER PERIOD OF REGISTRATION IF THE VICTIM OF THE CRIME IS A MINOR.*

Amends the definition of *sexually violent offense*, at GS 14-208.6(5), to include a violation of GS 14-177 (crime against nature) where the victim is a minor. Adds new GS 15A-1023.1 to prohibit plea arrangement that permits a defendant, who is charged with an offense that requires registration under the sex offender registration act and was committed against a minor, to enter a plea to another non-registration offense or to an offense that would require shorter registration. Requires disclosure to the judge of any plea arrangement where the prosecutor has agreed to allow a defendant charged with committing an offense against a minor to plead to a different offense. If the judge rejects the plea arrangement, the judge must advise the parties of the reasons for the rejection and allow them to modify the arrangement accordingly. The judge rejecting any plea arrangement must inform the parties, refuse to accept the plea of guilty or no contest, and advise the defendant that neither the state nor the defendant is bound by the rejected arrangement. Effective December 1, 2007, and applicable to offenses committed on or after that date.

Intro. by Preston.

GS 14, 15A