

January 25, 2007

S 17. UP PENALTIES/SEX OFFENSES WITH CHILD VICTIM. Filed 1/25/07. *TO AMEND CERTAIN CHILD PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY AND EXPANDING THE SCOPE OF CERTAIN PORNOGRAPHY LAWS, INCREASING THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, INCREASING THE PENALTY FOR SOLICITATION OF A CHILD BY COMPUTER TO COMMIT AN UNLAWFUL SEX ACT, AND INCREASING THE PENALTY FOR A SECOND OR SUBSEQUENT OFFENSE OF TAKING INDECENT LIBERTIES WITH CHILDREN.* Amends GS 14-190.13(5) to expand the definition of sexual activity. Amends GS 14-190.15 (disseminating harmful material and exhibiting harmful performances to minors) to include acts relative to a person the defendant believes to be a minor. Amends GS 14-190.16(d) to increase the penalty for first degree sexual exploitation of a minor from a Class D to a Class C felony. Amends GS 14-190.17(d) to increase the penalty for second degree exploitation of a minor from a Class F to a Class D felony. Amends GS 14-190.17A(d) to increase the penalty for third degree exploitation of a minor from a Class I to Class E felony. Amends GS 14-202.3(c) to increase the penalty for solicitation of a child by computer to commit an unlawful sex act from a Class H to a Class E felony. Amends GS 14-202.1 (taking indecent liberties with children) to make the first offense a Class F felony and second and subsequent offenses a Class E felony (was, Class F). Upon second or subsequent offense, allows evidence of a prior conviction to be admitted only for the purposes of proving that the person has been convicted of taking indecent liberties with children. Effective for offenses committed on or after December 1, 2007.

Intro. by Boseman.

GS 14

May 22, 2007

S 17. SEX OFFENDERS/PRETRIAL RELEASE (NEW). Filed 1/25/07. Senate committee substitute deletes the content of the 1st edition and replaces it with *AN ACT TO AMEND THE PRETRIAL RELEASE REQUIREMENTS FOR SEX OFFENDERS.* Amends GS 15A-534.4 to require (was, allow) a judicial official to impose the listed conditions on pretrial release in addition to the provisions of GS 15A-534 (procedure for determining conditions of pretrial release) in all cases where a defendant is charged with one of the listed sex offenses. Also allows the judicial official to waive one or more of the listed conditions upon the defendant's request, if the judicial official makes written findings of fact that imposing the condition is not in the best interest of the alleged victim. Effective for offenses committed on or after December 1, 2007.

June 19, 2007

S 17. SEX OFFENDERS/PRETRIAL RELEASE. Filed 1/25/07. House committee substitute makes the following changes to 2nd edition. Proposed GS 15A-534.4(b) allows a judicial official, upon request by the defendant, to waive one or more conditions required under GS 15A-534.4(a), if the judicial official makes written findings of fact that it is not in the best interest of the alleged victim to impose the condition on the defendant. The committee substitute modifies proposed GS 15A-534.4(b) to limit the conditions under GS 15A-534.4(a) that may be waived to subdivision (1), prohibiting the defendant from being present at the home, temporary residence, school, business, or place of employment of the alleged victim, and subdivision (2), restricting the defendant from communicating or attempting to communicate, directly or indirectly with the alleged victim.

July 9, 2007

SL 2007-172 (S 17). SEX OFFENDERS/PRETRIAL RELEASE. AN ACT TO AMEND THE PRETRIAL RELEASE REQUIREMENTS FOR SEX OFFENDERS. Summarized in *Daily Bulletin* 1/25/07, 5/22/07, and 6/19/07. Enacted July 4, 2007. Effective December 1, 2007.