

February 26, 2007

S 356. ENHANCE PENALTY FOR RAPE OF CHILD VICTIM. Filed 2/26/07. *TO ENHANCE THE PENALTY FOR FIRST DEGREE RAPE AND FIRST DEGREE SEXUAL OFFENSE IF THE VICTIM OF THE OFFENSE IS LESS THAN TWELVE YEARS OF AGE.*

To be summarized in tomorrow's *Daily Bulletin*.

Intro. by Smith.

GS 15A

February 27, 2007

S 356. ENHANCE PENALTY FOR RAPE OF CHILD VICTIM. Filed 2/26/07. *TO ENHANCE THE PENALTY FOR FIRST DEGREE RAPE AND FIRST DEGREE SEXUAL OFFENSE IF THE VICTIM OF THE OFFENSE IS LESS THAN TWELVE YEARS OF AGE.*

Enacts new GS 15A-1340.16E increasing the minimum and maximum sentences by 60 months for persons convicted of first degree rape under GS 14-27.2 or first degree sexual offense under GS 14-27.4 against a victim who was 11 years old or younger at the time of offense. Requires the indictment to allege that the victim was 11 years old or younger at the time of the offense. The victim's age must be proven beyond a reasonable doubt during the trial in which the defendant is tried for first degree rape or first degree sexual offense; if the defendant pleads guilty to the felony but not guilty to the issue of age, then the issues will go to a jury. Effective for offenses committed on or after December 1, 2007.

Intro. by Smith.

GS 15A