

May 18, 2010

H 1812. DV CASES/REVIEW CRIMINAL RECORD. Filed 5/18/10. *TO ENSURE THAT A COURT, WHEN CONSIDERING WHETHER TO ISSUE A DOMESTIC VIOLENCE PROTECTIVE ORDER, OR PRETRIAL RELEASE UNDER THE DOMESTIC VIOLENCE CRIMES STATUTE, CONSIDERS THE DEFENDANT'S CRIMINAL RECORD, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.*

Amends GS 50B-2(a), GS 50B-3, and GS 15A-534.1 for purpose indicated in title. Directs law enforcement agencies to provide the clerk of court with a state criminal background check upon receipt of a complaint and summons for service in a domestic violence protective order matter. Effective October 1, 2010.

Intro. by Goodwin, Ross, R. Warren, McLawhorn.

GS 15A, 50B

July 1, 2010

H 1812. DV CASES/REVIEW CRIMINAL RECORD. Filed 5/18/10. House committee substitute makes the following changes to 1st edition.

Removes sections amending GS 50B-2 (required law enforcement agency to provide the clerk of court a state criminal background check of the defendant named in the complaint) and GS 50B-3 (required the court to consider the defendant's criminal record when deciding whether to grant relief). Makes a conforming change to the title.

Amends GS 15A-534.1 to expand the previously amended language. Provides that a judge must direct a law enforcement officer or a district attorney to provide a criminal history report for the defendant and consider that history when setting conditions of release (previously required only that the judge consider the defendant's criminal record). Requires the judge to return the report to the applicable agency or department after setting conditions, and prohibits a judge from unreasonably delaying the determination of pretrial release conditions in order to review the report.

July 7, 2010

H 1812. DV CASES/REVIEW CRIMINAL RECORD. Filed 5/18/10. Senate committee substitute makes the following changes to 2nd edition. Makes technical changes only.

July 28, 2010

SL 2010-135 (H 1812). DOMESTIC VIOLENCE CASES/REVIEW CRIMINAL RECORD. *AN ACT TO ENSURE THAT A COURT, WHEN CONSIDERING PRETRIAL RELEASE UNDER THE DOMESTIC VIOLENCE CRIMES STATUTE, CONSIDERS THE DEFENDANT'S CRIMINAL RECORD, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.* Summarized in *Daily Bulletin* 5/18/10, 7/1/10, and 7/7/10. Enacted July 21, 2010. Effective October 1, 2010.