

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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**HOUSE BILL 477
PROPOSED COMMITTEE SUBSTITUTE H477-PCS30529-RN-25**

Short Title: Allison's Law/Use of GPS Tracking Device/DVPO.

(Public)

Sponsors:

Referred to:

April 1, 2013

A BILL TO BE ENTITLED

AN ACT ALLOWING A COURT TO CONSIDER AS A TYPE OF RELIEF IN GRANTING A DOMESTIC VIOLENCE PROTECTIVE ORDER THE USE OF A GPS TRACKING DEVICE ON A PERSON WHO HAS COMMITTED ACTS OF DOMESTIC VIOLENCE AND REQUIRING THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY TO REPORT ON IMPLEMENTATION AND COST IMPACT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 50B-3(a) is amended by adding the following new subdivision to read:

"(a) If the court, including magistrates as authorized under G.S. 50B-2(c1), finds that an act of domestic violence has occurred, the court shall grant a protective order restraining the defendant from further acts of domestic violence. A protective order may include any of the following types of relief:

...

(9a) Order a defendant the court finds has committed an act of domestic violence to be subject to electronic monitoring by means of a Global Positioning System (GPS) tracking device or other similar device that sends a signal indicating the defendant's location to both the aggrieved party and the local law enforcement agency when the defendant is at any prohibited location. The GPS tracking device or other similar device shall be worn for the period fixed in the order. The defendant subject to electronic monitoring pursuant to this subdivision shall be responsible for paying any costs associated with use of the device.

...."

SECTION 2. The North Carolina Department of Public Safety, in consultation with the North Carolina Sheriffs' Association, shall report to the Joint Legislative Oversight Committee on Justice and Public Safety by April 1, 2014, with recommendations regarding implementation and any cost impact of allowing a court to order electronic monitoring of a defendant who has committed an act of domestic violence.

SECTION 3. Section 1 of this act becomes effective July 1, 2014, and applies to protective orders granted on or after that date. Section 2 of this act is effective when it becomes law. The remainder of this act is effective when it becomes law.



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