

1 or I felony, the prayer for judgment continued shall be subject to expunction
2 under the procedures in this section.

3 (7) A felony offense under G.S. 14-12.12(b), 14-12.13, or 14-12.14, or any
4 felony offense for which punishment was determined pursuant to
5 G.S. 14-3(c).

6 (8) A felony offense under G.S. 14-401.16.

7 (9) Any felony offense in which a commercial motor vehicle was used in the
8 commission of the offense.

9 (10) Any felony offense involving impaired driving as defined in
10 G.S. 20-4.01(24a)."

11 **SECTION 4.** G.S. 15A-145.5(a) reads as rewritten:

12 "(a) For purposes of this section, the term "nonviolent misdemeanor" or "nonviolent
13 felony" means any misdemeanor or felony except the following:

14 (1) A Class A through G felony or a Class A1 misdemeanor.

15 (2) An offense that includes assault as an essential element of the offense.

16 (3) An offense requiring registration pursuant to Article 27A of Chapter 14 of
17 the General Statutes, whether or not the person is currently required to
18 register.

19 (4) Any of the following sex-related or stalking offenses: G.S. 14-27.7A(b),
20 14-190.7, 14-190.8, 14-190.9, 14-202, 14-208.11A, 14-208.18, 14-277.3,
21 14-277.3A, 14-321.1.

22 (5) Any felony offense in Chapter 90 of the General Statutes where the offense
23 involves methamphetamines, heroin, or possession with intent to sell or
24 deliver or sell and deliver cocaine.

25 (6) An offense under G.S. 14-12.12(b), 14-12.13, or 14-12.14, or any offense for
26 which punishment was determined pursuant to G.S. 14-3(c).

27 (7) An offense under G.S. 14-401.16.

28 (7a) An offense under G.S. 14-54(a), 14-54(a1), or 14-56.

29 (8) Any felony offense in which a commercial motor vehicle was used in the
30 commission of the offense.

31 (8a) An offense involving impaired driving as defined in G.S. 20-4.01(24a).

32 (9) Any offense that is an attempt to commit an offense described in
33 subdivisions (1) through ~~(8)~~-(8a) of this subsection."

34 **SECTION 5.** Section 1 of this act becomes effective December 1, 2015, and
35 applies to any order placing a person on probation on or after that date. Sections 2 through 4 of
36 this act become effective July 1, 2015, and apply to petitions filed and petitions pending on or
37 after that date. The remainder of this act is effective when it becomes law.