

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 671
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HOUSE PRINCIPAL CLERK

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HOUSE DRH30222-LH-144 (03/24)

Short Title: LRC Study/Sex Offenses & Registration Laws. (Public)

Sponsors: Representatives Insko, Glazier, McGrady, and Pendleton (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE STATE'S LAWS REGARDING SEX OFFENSES, SEX OFFENDER REGISTRATION REQUIREMENTS, AND OTHER RESTRICTIONS IMPOSED ON CONVICTED SEX OFFENDERS.

The General Assembly of North Carolina enacts:

SECTION 1. The Legislative Research Commission may study the State's laws regarding sex offenses, sex offender registration requirements, and other restrictions imposed on convicted sex offenders, and identify those laws, if any, that need to be updated or modified. In its study, the Legislative Research Commission may consider all of the following:

- (1) The SORNA standards established by federal law.
- (2) What the main purpose of the sex offender registry is and whether the registry as currently maintained accomplishes that purpose.
- (3) What crimes should be considered sex offenses that require registration and whether North Carolina's current classification of sex offenses is appropriate.
- (4) Whether the classification of each specific offense and the registration period required for that offense accurately reflects the degree of culpability and harm caused by the offense and also takes into account the different types of sex offenders and the risk profiles for those offenders.
- (5) Whether the State's sex offender laws are tailored to target those offenders that evidence suggests have the highest risk factors for reoffending sexually.
- (6) What the current method and considerations are for determining whether an out-of-state sex offense or federal sex offense is comparable to a State sex offense that requires registration in North Carolina and what difficulties there are, if any, in making those determinations.
- (7) What the current policies and practices are regarding notification of local law enforcement officers by federal authorities when a sex offender is released from federal custody and what, if any, improvement is needed regarding those notifications.
- (8) Issues regarding the retroactive application of amendments to the State's sex offender laws, including ex post facto clause considerations.
- (9) How the prospect of registration may or may not affect plea bargaining negotiations, including pleas accepted by a defendant who has a claim of ineffective assistance of counsel.
- (10) The direct and collateral consequences that result from the requirement to register as a sex offender.



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- 1 (11) What restrictions on sex offenders are effective and make people safer; and
- 2 which ones, if any, appear to be ineffective and possibly create new
- 3 problems by shutting offenders out of employment and housing.
- 4 (12) Whether the number of registrations is increasing, and if so, whether sheriffs
- 5 have sufficient resources to keep registries up to date and enforce
- 6 verification of information and other compliance requirements.
- 7 (13) Statewide resources required and used for the enforcement of sex offender
- 8 registration requirements and restrictions and for treatment of sex offenders.
- 9 (14) Any other issue the Commission deems relevant to this study.
- 10 **SECTION 2.** The Legislative Research Commission may submit a final report of
- 11 its findings and recommendations to the 2015 General Assembly, prior to the convening of the
- 12 2016 short session, by filing the report with the President Pro Tempore of the Senate and the
- 13 Speaker of the House of Representatives.
- 14 **SECTION 3.** This act becomes effective July 1, 2015.