

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 84
Senate Judiciary Committee Substitute Adopted 6/2/21
Proposed Conference Committee Substitute H84-PCCS40652-SA-5

Short Title: Sex Offender Premises Restrictions.

(Public)

Sponsors:

Referred to:

February 17, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO APPLY PREMISES RESTRICTIONS TO CERTAIN SEX OFFENDERS, TO
3 CLARIFY THE EXPUNCTION OF MISDEMEANORS, AND TO AMEND THE LAW
4 THAT IMPOSES RESIDENTIAL RESTRICTIONS ON SEX OFFENDERS TO PROVIDE
5 THAT THE ONE THOUSAND FOOT RESTRICTION IS TO BE MEASURED FROM
6 THE PROPERTY LINE OF THE PROPERTY ON WHICH THE SCHOOL OR CHILD
7 CARE CENTER IS LOCATED.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 14-208.18(c) reads as rewritten:

10 "(c) The subdivisions of subsection (a) of this section are applicable as follows:

11 (1) Subdivisions (1), (3), and (4) of subsection (a) of this section apply to persons
12 required to register under this Article who have committed any of the
13 following offenses:

14 a. Any offense in Article 7B of this Chapter or any federal offense or
15 offense committed in another state, which if committed in this State,
16 is substantially similar to an offense in Article 7B of this Chapter.

17 b. Any offense where the victim of the offense was under the age of 18
18 years at the time of the offense.

19 c. Any offense in violation of G.S. 14-190.16, 14-190.17, or 14-190.17A
20 or any federal offense or offense committed in another state, which if
21 committed in this State is substantially similar to an offense in
22 violation of G.S. 14-190.16, 14-190.17, or 14-190.17A.

23 (2) Subdivision (2) of subsection (a) of this section applies to persons required to
24 register under this Article if ~~either any~~ of the following ~~applies~~:apply:

25 a. The person has committed any offense in Article 7B of this Chapter or
26 any federal offense or offense committed in another state, which if
27 committed in this State is substantially similar to an offense in Article
28 7B of this Chapter, and a finding has been made in any criminal or
29 civil proceeding that the person presents, or may present, a danger to
30 minors under the age of 18.

31 b. The person has committed any offense where the victim of the offense
32 was under the age of 18 years at the time of the offense.

33 c. The person has committed an offense in violation of G.S. 14-190.16,
34 14-190.17, or 14-190.17A or any federal offense or offense committed
35 in another state, which if committed in this State is substantially



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1 similar to an offense in violation of G.S. 14-190.16, 14-190.17, or
2 14-190.17A."

3 **SECTION 2.** G.S. 15A-145(a1) reads as rewritten:

4 "(a1) Nothing in this section shall be interpreted to allow the expunction of any offense
5 involving impaired driving as defined in ~~G.S. 20-4.01(24a)~~.G.S. 20-4.01(24a) or any offense
6 requiring registration pursuant to Article 27A of Chapter 14 of the General Statutes, whether or
7 not the person is currently required to register."

8 **SECTION 3.** G.S. 14-208.16(a) reads as rewritten:

9 "(a) A registrant under this Article shall not knowingly reside at one of the following:

10 (1) Any location which is within 1,000 feet of ~~the~~ any property line of a property
11 on which any public or nonpublic school or child care center is located.

12 (2) Within any structure, any portion of which is within 1,000 feet of any property
13 line of a property on which any public or nonpublic school or child care center
14 is located.

15 This subsection applies to any registrant who did not establish his or her residence, in
16 accordance with subsection (d) of this section, prior to August 16, 2006."

17 **SECTION 4.** Section 1 of this act becomes effective December 1, 2021, and applies
18 to offenses committed on or after that date. Section 2 of this act becomes effective December 1,
19 2021, and applies to petitions filed on or after that date. Section 3 of this act becomes effective
20 December 1, 2021, and applies to offenses committed on or after that date by all persons
21 registered or required to register on or after that date. Section 3 of this act does not apply to a
22 person who has established a residence prior to the effective date of that section in accordance
23 with G.S. 14-208.16(d)(1), (2), or (3). The remainder of this act is effective when it becomes law.