

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 696
PROPOSED COMMITTEE SUBSTITUTE H696-PCS10435-CL-22

Short Title: Violent Offense/No Contact Order.

(Public)

Sponsors:

Referred to:

April 19, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW A JUDGE TO ISSUE A PERMANENT NO CONTACT ORDER
3 AGAINST A DEFENDANT CONVICTED OF CERTAIN VIOLENT OFFENSES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 81D of Chapter 15A of the General Statutes reads as rewritten:

6 "Article 81D.

7 "Permanent No Contact Order Against Convicted ~~Sex-Violent~~ Offender.

8 "**§ 15A-1340.50. Permanent no contact order prohibiting future contact by convicted ~~sex~~**
9 **violent offender with crime victim.**

10 (a) The following definitions apply in this Article:

11 (1) Permanent no contact order. – A permanent injunction that prohibits any
12 contact by a defendant with the victim of the ~~sex-violent~~ offense for which the
13 defendant is convicted. The duration of the injunction is the lifetime of the
14 defendant.

15 (2) ~~Sex offense. — Any criminal offense that requires registration under Article~~
16 ~~27A of Chapter 14 of the General Statutes.~~

17 (3) Victim. – The person against whom the ~~sex-violent~~ offense was committed.

18 (4) Violent offense. – Any of the following:

19 a. A criminal offense that requires registration under Article 27A of
20 Chapter 14 of the General Statutes.

21 b. A Class A through G felony that is not otherwise covered under
22 sub-subdivision a. of this subdivision.

23 c. An offense under subsection (b) of G.S. 14-32.4.

24 (b) When sentencing a defendant convicted of a ~~sex-violent~~ offense, the judge, at the
25 request of the district attorney, shall determine whether to issue a permanent no contact order.
26 The judge shall order the defendant to show cause why a permanent no contact order shall not be
27 issued and shall hold a show cause hearing as part of the sentencing procedures for the defendant.

28 ...

29 (e) At the conclusion of the show cause hearing the judge shall enter a finding for or
30 against the defendant. If the judge determines that reasonable grounds exist for the victim to fear
31 any future contact with the defendant, the judge shall issue the permanent no contact order. The
32 judge shall enter written findings of fact and the grounds on which the permanent no contact
33 order is issued. The no contact order shall be incorporated into the judgment imposing the
34 sentence on the defendant for the conviction of the ~~sex-violent~~ offense.

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1 **SECTION 2.** This act becomes effective December 1, 2023, and applies to offenses
2 committed on or after that date.