

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 1296

Judiciary I/Constitution Committee Substitute Adopted 6/12/96

Short Title: Sex Offender Post-Release Supervision.

(Public)

Sponsors:

Referred to:

May 23, 1996

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE REGULAR PERIOD OF POST-RELEASE SUPERVISION FROM SIX TO NINE MONTHS, TO EXTEND THE PERIOD OF POST-RELEASE SUPERVISION TO FIVE YEARS FOR SEX OFFENDERS AND TO PROVIDE FOR SPECIAL CONDITIONS OF POST-RELEASE SUPERVISION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF MINORS.

The General Assembly of North Carolina enacts:

Section 1. G.S 15A-1368.2(c) reads as rewritten:

"(c) A supervisee's period of post-release supervision shall be for a period of ~~six months~~ nine months, unless the offense is an offense for which registration is required pursuant to Article 27A of Chapter 14 of the General Statutes. For offenses subject to the registration requirement of Article 27A of Chapter 14 of the General Statutes, the period of post-release supervision is five years. The conditions of post-release supervision are as authorized in G.S. 15A-1368.5."

Sec. 2. G.S. 15A-1368.4 is amended by adding a new subsection to read:

"(b1) Additional Required Conditions for Sex Offenders. – In addition to the required condition set forth in subsection (b) of this section, for a supervisee who has been convicted of an offense which is a reportable conviction as defined in G.S. 14-

1 208.6(4), or which involves the physical, mental, or sexual abuse of a minor, controlling
2 conditions, violations of which may result in revocation of post-release supervision, are:

- 3 (1) Register as required by G.S. 14-208.7 if the offense is a reportable
4 conviction as defined by G.S. 14-208.6(4).
- 5 (2) Participate in such evaluation and treatment as is necessary to complete
6 a prescribed course of psychiatric, psychological, or other rehabilitative
7 treatment as ordered by the Commission.
- 8 (3) Not communicate with, be in the presence of, or found in or on the
9 premises of the victim of the offense.
- 10 (4) Not reside in a household with any minor child if the offense is one in
11 which there is evidence of sexual abuse of a minor.
- 12 (5) Not reside in a household with any minor child if the offense is one in
13 which there is evidence of physical or mental abuse of a minor, unless a
14 court of competent jurisdiction expressly finds that it is unlikely that the
15 defendant's harmful or abusive conduct will recur and that it would be in
16 the child's best interest to allow the supervisee to reside in the same
17 household with a minor child."

18 Sec. 3. This act becomes effective December 1, 1996.