

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1245
Committee Substitute Favorable 4/27/99

Short Title: 3rd Degree Sex Offense.

(Public)

Sponsors:

Referred to:

April 15, 1999

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE CRIME OF THIRD-DEGREE SEXUAL OFFENSE AND
3 TO REQUIRE SEX OFFENDER REGISTRATION FOR CONVICTION OF THAT
4 OFFENSE.

5 The General Assembly of North Carolina enacts:

6 Section 1. Article 7A of Chapter 14 of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 14-27.5A. Third-degree sexual offense.**

9 (a) A person is guilty of a sexual offense in the third degree if the person either:

10 (1) By force and against the will of the other person takes or attempts to
11 take any immoral, improper, or indecent liberties with any person of
12 either sex 16 years of age or older for the purpose of arousing or
13 gratifying sexual desire; or

14 (2) By force and against the will of the other person commits or attempts to
15 commit any lewd or lascivious act upon or with the body or any part or
16 member of the body of any person of either sex 16 years of age or older.

17 (b) Third-degree forcible sexual offense is a Class F felony."

18 Section 2. G.S. 14-208.6(5) reads as rewritten:

1 "(5) 'Sexually violent offense' means a violation of G.S. 14-27.2 (first
2 degree rape), G.S. 14-27.3 (second degree rape), G.S. 14-27.4 (first
3 degree sexual offense), G.S. 14-27.5 (second degree sexual offense),
4 G.S. 14-27.5A (third-degree sexual offense), G.S. 14-27.6 (attempted
5 rape or sexual offense), G.S. 14-27.7 (intercourse and sexual offense
6 with certain victims), G.S. 14-178 (incest between near relatives), G.S.
7 14-190.6 (employing or permitting minor to assist in offenses against
8 public morality and decency), G.S. 14-190.16 (first degree sexual
9 exploitation of a minor), G.S. 14-190.17 (second degree sexual
10 exploitation of a minor), G.S. 14-190.17A (third degree sexual
11 exploitation of a minor), G.S. 14-190.18 (promoting prostitution of a
12 minor), G.S. 14-190.19 (participating in prostitution of a minor), or G.S.
13 14-202.1 (taking indecent liberties with children)."

14 Section 3. This act becomes effective December 1, 1999, and applies to
15 offenses committed on or after that date.