

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH80004-LH-9 (12/21)

Short Title: Register Out-of-State Sex Offenders.

(Public)

Sponsors: Representative LaRoque.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROTECT NORTH CAROLINIANS BY AMENDING THE SEX OFFENDER REGISTRATION LAW TO PROVIDE ADDITIONAL NOTIFICATION MEASURES DESIGNED TO NOTIFY NEW RESIDENTS OF THE STATE WHO ARE SEX OFFENDERS OF THE DUTY TO REGISTER IN THIS STATE AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-208.8 reads as rewritten:

"§ 14-208.8. ~~Prerelease notification.~~ Notice of obligation to register.

(a) At least 10 days, but not earlier than 30 days, before a person who will be subject to registration under this Article is due to be released from a penal institution, an official of the penal institution shall:

- (1) Inform the person of the person's duty to register under this Article and require the person to sign a written statement that the person was so informed or, if the person refuses to sign the statement, certify that the person was so informed;
- (2) Obtain the registration information required under G.S. 14-208.7(b)(1), (2), (5), and (6), as well as the address where the person expects to reside upon the person's release; and
- (3) Send the Division and the sheriff of the county in which the person expects to reside the information collected in accordance with subdivision (2) of this subsection.

(b) If a person who is subject to registration under this Article does not receive an active term of imprisonment, the court pronouncing sentence shall conduct, at the time of sentencing, the notification procedures specified in subsection (a) of this section.

(c) The Division of Motor Vehicles, Department of Transportation, shall provide notice of the requirement to register under this Article to each person who applies for

1 the issuance of a drivers license, learner's permit, or instruction permit to operate a
2 motor vehicle and to each person who applies for an identification card issued pursuant
3 to Chapter 20 of the General Statutes.

4 (d) Through press releases, public service announcements, or through other
5 appropriate public information activities, the Department of Justice shall attempt to
6 ensure that all sex offenders, including those who move into this State, are informed and
7 periodically reminded of the registration, verification, and sanctions of this Article."

8 **SECTION 2.** Article 2 of Chapter 20 of the General Statutes is amended by
9 adding a new section to read:

10 **"§ 20-9.3. Notification of requirements for sex offender registration.**

11 The Division of Motor Vehicles, Department of Transportation, shall provide notice
12 of the requirement to register under Article 27A of Chapter 14 of the General Statutes as
13 required by G.S. 14-208.8."

14 **SECTION 3.** There is appropriated from the Highway Fund to the
15 Department of Transportation, Division of Motor Vehicles, the sum of fifty thousand
16 dollars (\$50,000) for the 2005-2006 fiscal year to implement this act. There is
17 appropriated from the General Fund to the Department of Justice the sum of twenty-five
18 thousand dollars (\$25,000) for the 2005-2006 fiscal year to implement this act.

19 **SECTION 4.** Section 3 of this act becomes effective July 1, 2005, and the
20 remainder of this act becomes effective September 1, 2005.