

March 19, 2009

**S 713. REMOVAL OF ELECTRONIC MONITORING DEVICE.** Filed 3/19/09. *TO CREATE THE CRIMINAL OFFENSE OF REMOVING, DESTROYING, OR CIRCUMVENTING THE OPERATION OF AN ELECTRONIC MONITORING DEVICE.*

Amends Article 30 of GS Chapter 14 by enacting a new GS 14-226.3 which makes it a Class E felony to remove, destroy, or circumvent the operation of an electronic monitoring device of a person who is wearing such a device as a condition of home arrest, bond or pretrial release, probation, or parole, and makes it a Class E felony for any person to request or solicit the removal, destruction, or circumvention of the operation of such a device. Applies to acts committed on or after December 1, 2009.

**Intro. by Rucho.**

GS 14

May 7, 2009

**S 713. REMOVAL OF ELECTRONIC MONITORING DEVICE.** Filed 3/19/09. Senate committee substitute makes the following changes to 1st edition. Makes it unlawful for any person to knowingly and without authority remove, destroy, or circumvent the operation of an electronic monitoring device that is being used to monitor someone who is wearing such a device as a condition of post-release supervision. Provides that GS 14-226.3 does not apply to persons who are being monitored by an electronic monitoring device pursuant to the provisions of GS Chapter 7B (the Juvenile Code). Provides that violation of GS 14-226.3 by a person who is required to comply with electronic monitoring as a result of a conviction for a criminal offense is a felony one class lower than the most serious underlying felony or a misdemeanor one class lower than the most serious underlying misdemeanor, except that if the most serious underlying felony is a Class I felony, then a violation is a Class A1 misdemeanor and that a violation of GS 14-226.3 by a person who is required to comply with electronic monitoring as a condition of bond or pretrial release or by any other person is a Class A1 misdemeanor (was, violation of the statute was a Class E felony).

June 4, 2009

**S 713. REMOVAL OF ELECTRONIC MONITORING DEVICE.** Filed 3/19/09. House committee substitute makes the following changes to 2nd edition. Makes it a Class 1 misdemeanor (was, Class A1 misdemeanor) for a person who is required to comply with electronic monitoring as a condition of bond or pretrial release to violate GS 14-226.3. Makes it a Class 2 misdemeanor (was, Class A1 misdemeanor) for any other person to violate the statute.

July 16, 2009

**S 713. REMOVAL OF ELECTRONIC MONITORING DEVICE.** Filed 3/19/09. House amendment makes the following changes to 3rd edition. Adds in proposed GS 14-226.3(d) that the statute does not apply to persons who are being monitored by an electronic monitoring device pursuant to provisions in Article 27A (Sex Offender and Public Protection Registration Programs) of GS Chapter 14.

August 5, 2009

**SL 2009-415 (S 713). REMOVAL OF ELECTRONIC MONITORING DEVICE. AN ACT TO CREATE THE CRIMINAL OFFENSE OF REMOVING, DESTROYING, OR CIRCUMVENTING THE OPERATION OF AN ELECTRONIC MONITORING DEVICE.** Summarized in *Daily Bulletin* 3/19/09, 5/7/09, 6/4/09, and 7/16/09. Enacted August 5, 2009. Effective December 1, 2009.