

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS55246-LL-165 (03/11)

Short Title: Removal of Electronic Monitoring Device. (Public)

Sponsors: Senators Rucho, and Clodfelter.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE CRIMINAL OFFENSE OF REMOVING, DESTROYING, OR
3 CIRCUMVENTING THE OPERATION OF AN ELECTRONIC MONITORING
4 DEVICE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 30 of Chapter 14 of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 14-226.3. Interference with electronic monitoring devices.**

9 (a) For purposes of this section, the term "electronic monitoring device" includes any
10 electronic device that is used to track the location of a person.

11 (b) It is unlawful for any person to knowingly and without authority remove, destroy, or
12 circumvent the operation of an electronic monitoring device that is being used for the purpose
13 of monitoring a person who is:

14 (1) Complying with a home arrest program;

15 (2) Wearing an electronic monitoring device as a condition of bond or pretrial
16 release;

17 (3) Wearing an electronic monitoring device as a condition of probation; or

18 (4) Wearing an electronic monitoring device as a condition of parole.

19 (c) It is unlawful for any person to knowingly and without authority request or solicit
20 any other person to remove, destroy, or circumvent the operation of an electronic monitoring
21 device that is being used for the purposes described in subsection (b) of this section.

22 (d) Violation of this section is a Class E felony."

23 **SECTION 2.** This act becomes effective December 1, 2009, and applies to acts
24 committed on or after that date.

