

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL DRS45237-ML-7A

Short Title: Right to Revoke Consent. (Public)

Sponsors: Senators J. Jackson and Britt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT A PERSON WHO CONTINUES TO ENGAGE IN
3 INTERCOURSE OR A SEXUAL ACT AFTER CONSENT IS WITHDRAWN IS
4 DEEMED TO HAVE COMMITTED THE ACT OF INTERCOURSE OR SEXUAL ACT
5 BY FORCE AND AGAINST THE WILL OF THE OTHER PERSON.
6 The General Assembly of North Carolina enacts:
7 **SECTION 1.** Article 7B of Chapter 14 of the General Statutes is amended by adding
8 a new section to read:
9 **"§ 14-27.37. Withdrawal of consent.**
10 (a) Withdrawal of Consent. – A person who consents to vaginal intercourse or to a sexual
11 act can withdraw that consent at any time during the course of that vaginal intercourse or sexual
12 act. A defendant who continues the act of vaginal intercourse after consent is withdrawn is
13 deemed to have committed the act of vaginal intercourse by force and against the will of the other
14 person. A defendant who continues the sexual act after consent is withdrawn is deemed to have
15 committed the sexual act by force and against the will of the other person.
16 (b) Form of Withdrawal. – A withdrawal of consent in accordance with subsection (a) of
17 this section must be clearly communicated in a way that a person knows or should reasonably
18 know consent has been withdrawn."
19 **SECTION 2.** This act becomes effective December 1, 2019, and applies to offenses
20 committed on or after that date.

