

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 696
Committee Substitute Favorable 4/26/23
Third Edition Engrossed 4/26/23

Short Title: Violent Offense/No Contact Order.

(Public)

Sponsors:

Referred to:

April 19, 2023

A BILL TO BE ENTITLED
AN ACT TO ALLOW A JUDGE TO ISSUE A PERMANENT NO CONTACT ORDER
AGAINST A DEFENDANT CONVICTED OF CERTAIN VIOLENT OFFENSES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 81D of Chapter 15A of the General Statutes reads as rewritten:

"Article 81D.

"Permanent No Contact Order Against Convicted ~~Sex~~-Violent Offender.

**"§ 15A-1340.50. Permanent no contact order prohibiting future contact by convicted ~~sex~~
violent offender with crime victim.**

(a) The following definitions apply in this Article:

(1) Permanent no contact order. – A permanent injunction that prohibits any contact by a defendant with the victim of the ~~sex-violent~~ offense for which the defendant is ~~convicted~~-convicted, or with the victim's immediate family. The duration of the injunction is the lifetime of the defendant.

(2) ~~Sex offense. – Any criminal offense that requires registration under Article 27A of Chapter 14 of the General Statutes.~~

(3) Victim. – The person against whom the ~~sex-violent~~ offense was committed.

(4) Violent offense. – Any of the following:

a. A criminal offense that requires registration under Article 27A of Chapter 14 of the General Statutes.

b. A Class A through G felony that is not otherwise covered under sub-subdivision a. of this subdivision.

c. An offense under subsection (b) of G.S. 14-32.4.

(b) When sentencing a defendant convicted of a ~~sex-violent~~ offense, the judge, at the request of the district attorney, shall determine whether to issue a permanent no contact order. The judge shall order the defendant to show cause why a permanent no contact order shall not be issued and shall hold a show cause hearing as part of the sentencing procedures for the defendant.

...

(e) At the conclusion of the show cause hearing the judge shall enter a finding for or against the defendant. If the judge determines that reasonable grounds exist for the victim to fear any future contact with the defendant, the judge shall issue the permanent no contact order. The judge shall enter written findings of fact and the grounds on which the permanent no contact order is issued. The no contact order shall be incorporated into the judgment imposing the sentence on the defendant for the conviction of the ~~sex-violent~~ offense.

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1 **SECTION 2.** This act becomes effective December 1, 2023, and applies to offenses
2 committed on or after that date.