

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 904

Short Title: Life Imprison./Repeat Child Molester.

(Public)

Sponsors: Representatives Mosley; Nichols and Hardy.

Referred to: Judiciary I.

April 9, 1997

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT A SENTENCE OF LIFE IMPRISONMENT WITHOUT
2 PAROLE SHALL BE IMPOSED FOR A SECOND OR SUBSEQUENT
3 CONVICTION OF A CLASS B1 FELONY IF THERE ARE NO MITIGATING
4 CIRCUMSTANCES AND THE VICTIM IS THIRTEEN YEARS OF AGE OR
5 YOUNGER.
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7 The General Assembly of North Carolina enacts:

8 Section 1. Article 81B of Chapter 14 of the General Statutes is amended by
9 adding a new section to read:

10 "**§ 15A-1340.16B. Life imprisonment without parole for a second or subsequent**
11 **conviction of a Class B1 felony.**

12 (a) Notwithstanding the sentencing dispositions in G.S. 15A-1340.17, a person
13 convicted of a Class B1 felony shall be sentenced to life imprisonment without parole if:

14 (1) The offense was committed against a victim who was 13 years of age or
15 younger at the time of the offense;

16 (2) The person has one or more prior convictions of a Class B1 felony; and

17 (3) The court finds that there are no mitigating factors in accordance with
18 G.S. 15A-1340.16(e).

19 (b) If the sentencing court finds that there are mitigating circumstances, then the
20 court shall sentence the person in accordance with G.S. 15A-1340.17.

1 (c) A prior conviction of a Class B1 felony shall be proved in accordance with
2 G.S. 15A-1340.14."

3 Section 2. This act becomes effective December 1, 1997, and applies to
4 offenses committed on or after that date.