

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE DRH70435-LL-225 (3/21)

Short Title: Modify Offender Restrictions.

(Public)

Sponsors: Representative Love.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE RESTRICTIONS PLACED ON OFFENDERS DURING
POST-RELEASE SUPERVISION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-1368.4(b1) reads as rewritten:

"(b1) Additional Required Conditions for Sex Offenders and Persons Convicted of Offenses Involving Physical, Mental, or Sexual Abuse of a Minor. – In addition to the required condition set forth in subsection (b) of this section, for a supervisee who has been convicted of an offense which is a reportable conviction as defined in G.S. 14-208.6(4), or which involves the physical, mental, or sexual abuse of a minor, controlling conditions, violations of which may result in revocation of post-release supervision, are:

- (1) Register as required by G.S. 14-208.7 if the offense is a reportable conviction as defined by G.S. 14-208.6(4).
- (2) Participate in such evaluation and treatment as is necessary to complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the Commission.
- (3) Not communicate with, be in the presence of, or found in or on the premises of the victim of the ~~offense~~: offense, in the discretion of the Commission.
- (4) Not reside in a household with any minor child if the offense is one in which there is evidence of sexual abuse of a ~~minor~~: minor, unless approved by the Commission.
- (5) Not reside in a household with any minor child if the offense is one in which there is evidence of physical or mental abuse of a minor, unless ~~a court of competent jurisdiction~~ the Commission expressly finds that it is unlikely that the defendant's harmful or abusive conduct will recur

1 and that it would be in the child's best interest to allow the supervisee
2 to reside in the same household with a minor child.

3 (6) Submit to satellite-based monitoring pursuant to Part 5 of Article 27A
4 of Chapter 14 of the General Statutes, if the offense is a reportable
5 conviction as defined by G.S. 14-208.6(4) and the supervisee is in the
6 category described by G.S. 14-208.40(a)(1).

7 (7) Submit to satellite-based monitoring pursuant to Part 5 of Article 27A
8 of Chapter 14 of the General Statutes, if the offense is a reportable
9 conviction as defined by G.S. 14-208.6(4) and the supervisee is in the
10 category described by G.S. 14-208.40(a)(2)."

11 **SECTION 2.** G.S. 15A-1368.4(e)(14) reads as rewritten:

12 "(e) Controlling Conditions. – Appropriate controlling conditions, violation of
13 which may result in revocation of post-release supervision, are:

14 ...
15 (14) Submit to supervision by officers assigned to the Intensive
16 Post-Release Supervision Program established pursuant to
17 G.S. 143B-262(c), and abide by the rules adopted for that ~~Program.~~
18 Program and conditions ordered by the Commission."

19 **SECTION 3.** This act is effective when it becomes law.