

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 836\*

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

Sponsors: Representatives Tillis; Current, Faison, Guice, Gulley, Hilton, Hurley, Justice, Justus, Langdon, McCormick, Neumann, Randleman, Sager, Steen, and Stevens.

Referred to: Judiciary III, if favorable, Ways and Means/Broadband Connectivity.

March 30, 2009

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.

