

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1734

Short Title: Instruct Jury/Life Without Parole.

(Public)

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Sponsors: Representatives Eddins; Aldridge, Capps, Hardy, Shubert, Warner, and Watson.

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Referred to: Rules, Calendar and Operations of the House.

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June 1, 1998

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE A JUDGE PRESIDING IN A CAPITAL TRIAL TO  
2 INSTRUCT THE SENTENCING JURY REGARDING THE REVIEW OF  
3 SENTENCES OF LIFE IMPRISONMENT WITHOUT PAROLE.  
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 15A-2002 reads as rewritten:

7 "**§ 15A-2002. Capital offenses; jury verdict and sentence.**

8 (a) If the recommendation of the jury is that the defendant be sentenced to death,  
9 the judge shall impose a sentence of death in accordance with the provisions of Chapter  
10 15, Article 19 of the General Statutes. If the recommendation of the jury is that the  
11 defendant be imprisoned for life in the State's prison, the judge shall impose a sentence of  
12 imprisonment for life in the State's prison, without parole.

13 (b) The judge shall instruct the jury, in words substantially equivalent to those of  
14 this section, that a sentence of life imprisonment means a sentence of life without parole.

15 (c) The judge shall instruct the jury about the review of sentences of life  
16 imprisonment without parole in words substantially equivalent to those of G.S. 15A-  
17 1380.5."

18 Section 2. G.S. 15A-2000 is amended by adding a new subsection to read:

1        "(d1) Argument by District Attorney. – The district attorney may inform the jury in  
2 the closing argument about the review of sentences of life imprisonment without parole  
3 in words substantially equivalent to those of G.S. 15A-1380.5."

4                Section 3. This act becomes effective December 1, 1998, and applies to capital  
5 sentencing hearings or rehearings begun on or after that date.