

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 904  
Committee Substitute Favorable 4/30/97  
Senate Judiciary Committee Substitute Adopted 6/1/98

Short Title: Life Imprison./Repeat Child Molester.

(Public)

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Sponsors:

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Referred to: Appropriations.

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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 15A 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).

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

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

5               Section 2. This act becomes effective December 1, 1998, and applies to  
6 offenses committed on or after that date.