

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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SENATE BILL 505

Short Title: Revoke Consent for Intercourse. (Public)

Sponsors: Senators J. Jackson, Krawiec, Randleman (Primary Sponsors); Brock and Bryant.

Referred to: Rules and Operations of the Senate.

March 26, 2015

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A PERSON WHO CONTINUES TO ENGAGE IN INTERCOURSE AFTER CONSENT IS WITHDRAWN IS DEEMED TO HAVE COMMITTED THE ACT OF INTERCOURSE BY FORCE AND AGAINST THE WILL OF THE OTHER PERSON.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 7A of Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-27.8A. Withdrawal of consent.**

(a) A person who initially consents to vaginal intercourse is not deemed to have consented to any penetration that occurs after the person withdraws consent during the course of that vaginal intercourse. A person may withdraw consent to engage in vaginal intercourse in the middle of the intercourse, even if the actual penetration is accomplished with consent and even if there is only one act of vaginal intercourse. The withdrawal of consent must be clearly communicated in a way that a reasonable person would understand to constitute withdrawal of consent.

(b) A defendant who continues the act of vaginal intercourse after consent is withdrawn is deemed to have committed the act of vaginal intercourse by force and against the will of the other person."

**SECTION 2.** This act becomes effective December 1, 2015, and applies to offenses committed on or after that date.

