GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 644

Short Title:	Death Penalty Moratorium.	(Public)
Sponsors:	Senator Smith-Ingram (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate.	

March 30, 2015

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A MORATORIUM ON CARRYING OUT THE DEATH PENALTY.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding any other provision of law, a moratorium is established with regard to carrying out any death penalty imposed by a court of this State. No person who has been or is sentenced to death by a court of this State shall be executed until the moratorium ends as provided by this act.

SECTION 2. The moratorium on carrying out the death penalty shall end only when the State implements policies that ensure that death penalty cases are administered fairly and impartially in accordance with due process and that minimize the risk that innocent persons may be executed. The policies adopted shall do all of the following:

(1) Establish guidelines for the appointment and performance of competent counsel in capital cases.

(2) Preserve, enhance, and streamline the authority and responsibility of State courts to exercise independent judgment on the merits of constitutional claims in State postconviction and federal habeas corpus proceedings.

(3) Eliminate discrimination in capital sentencing on the basis of the race of either the victim or the defendant.

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