

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 142*

Short Title: Amend Accessory After the Fact.

(Public)

Sponsors: Representatives Justus; Baddour, Bowie, Capps, Davis, and Thompson.

Referred to: Judiciary I.

February 13, 1997

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY
ADVISORY COMMISSION'S RECOMMENDATION TO RECLASSIFY THE
OFFENSE OF ACCESSORY AFTER THE FACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-7 reads as rewritten:

"§ 14-7. Accessories after the fact; trial and punishment.

If any person shall become an accessory after the fact to any felony, whether the same be a felony at common law or by virtue of any statute made, or to be made, such person shall be guilty of a ~~felony, crime,~~ and may be indicted and convicted together with the principal felon, or after the conviction of the principal felon, or may be indicted and convicted for such ~~felony crime~~ whether the principal felon shall or shall not have been previously convicted, or shall or shall not be amenable to ~~justice, and shall be punished as a Class H felon.~~ justice. Unless a different classification is expressly stated, that person shall be punished for an offense that is two classes lower than the felony the principal felon committed, except that an accessory after the fact to a Class A or Class B1 felony is a Class C felony, an accessory after the fact to a Class B2 felony is a Class D felony, an accessory after the fact to a Class H felony is a Class 1 misdemeanor, and an accessory after the fact to a Class I felony is a Class 2 misdemeanor. The offense of such person may be inquired of, tried, determined and punished by any court which shall have

1 jurisdiction of the principal felon, in the same manner as if the act, by reason whereof
2 such person shall have become an accessory, had been committed at the same place as the
3 principal felony, although such act may have been committed without the limits of the
4 State; and in case the principal felony shall have been committed within the body of any
5 county, and the act by reason whereof any person shall have become accessory shall have
6 been committed within the body of any other county, the offense of such person guilty of
7 a felony as aforesaid may be inquired of, tried, determined, and punished in either of said
8 counties: Provided, that no person who shall be once duly tried for such felony shall be
9 again indicted or tried for the same offense."

10 Section 2. This act becomes effective December 1, 1997, and applies to
11 offenses committed on or after that date.