

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION

CHAPTER 274  
HOUSE BILL 214

AN ACT TO ABOLISH THE SPOUSAL DEFENSE TO A PROSECUTION FOR  
RAPE OR SEXUAL OFFENSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-27.8 reads as rewritten:

**"§ 14-27.8. ~~Defense~~ No defense that victim is spouse of person committing act.**

A person may ~~not~~ be prosecuted under this Article ~~if~~ whether or not the victim is the person's legal spouse at the time of the commission of the alleged rape or sexual offense ~~unless the parties are living separate and apart.~~"

Sec. 2. This act is effective upon ratification. Prosecutions for offenses occurring before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

In the General Assembly read three times and ratified this the 5th day of July, 1993.

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Dennis A. Wicker  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives