

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE DRH60378-LH-173 (03/29)

Short Title: Death Penalty/Add Aggravating Factor. (Public)

Sponsors: Representative Johnson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADD TO THE LIST OF AGGRAVATING FACTORS FOR A CAPITAL
OFFENSE THAT THE FELONY WAS COMMITTED IN VIOLATION OF A
VALID PROTECTIVE ORDER.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-2000(e) is amended by adding a new subdivision to
read:

"(12) The capital felony was committed at a time when the defendant knew
the behavior was prohibited by a valid protective order entered
pursuant to Chapter 50B of the General Statutes of North Carolina, or
by a valid protective order entered by the courts of another state or the
courts of an Indian tribe."

SECTION 2. This act becomes effective December 1, 2005, and applies to
offenses committed on or after that date.