

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2021-115
HOUSE BILL 84**

AN ACT TO APPLY PREMISES RESTRICTIONS TO CERTAIN SEX OFFENDERS, TO CLARIFY THE EXPUNCTION OF MISDEMEANORS, AND TO AMEND THE LAW THAT IMPOSES RESIDENTIAL RESTRICTIONS ON SEX OFFENDERS TO PROVIDE THAT THE ONE THOUSAND FOOT RESTRICTION IS TO BE MEASURED FROM THE PROPERTY LINE OF THE PROPERTY ON WHICH THE SCHOOL OR CHILD CARE CENTER IS LOCATED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-208.18(c) reads as rewritten:

"(c) The subdivisions of subsection (a) of this section are applicable as follows:

- (1) Subdivisions (1), (3), and (4) of subsection (a) of this section apply to persons required to register under this Article who have committed any of the following offenses:
 - a. Any offense in Article 7B of this Chapter or any federal offense or offense committed in another state, which if committed in this State, is substantially similar to an offense in Article 7B of this Chapter.
 - b. Any offense where the victim of the offense was under the age of 18 years at the time of the offense.
 - c. Any offense in violation of G.S. 14-190.16, 14-190.17, or 14-190.17A or any federal offense or offense committed in another state, which if committed in this State is substantially similar to an offense in violation of G.S. 14-190.16, 14-190.17, or 14-190.17A.
- (2) Subdivision (2) of subsection (a) of this section applies to persons required to register under this Article if ~~either any of the following applies:~~ apply:
 - a. The person has committed any offense in Article 7B of this Chapter or any federal offense or offense committed in another state, which if committed in this State is substantially similar to an offense in Article 7B of this Chapter, and a finding has been made in any criminal or civil proceeding that the person presents, or may present, a danger to minors under the age of 18.
 - b. The person has committed any offense where the victim of the offense was under the age of 18 years at the time of the offense.
 - c. The person has committed an offense in violation of G.S. 14-190.16, 14-190.17, or 14-190.17A or any federal offense or offense committed in another state, which if committed in this State is substantially similar to an offense in violation of G.S. 14-190.16, 14-190.17, or 14-190.17A."

SECTION 2. G.S. 15A-145(a1) reads as rewritten:

"(a1) Nothing in this section shall be interpreted to allow the expunction of any offense involving impaired driving as defined in ~~G.S. 20-4.01(24a)~~ G.S. 20-4.01(24a) or any offense



requiring registration pursuant to Article 27A of Chapter 14 of the General Statutes, whether or not the person is currently required to register."

SECTION 3. G.S. 14-208.16(a) reads as rewritten:

- "(a) A registrant under this Article shall not knowingly reside at one of the following:
- (1) Any location which is within 1,000 feet of the any property line of a property on which any public or nonpublic school or child care center is located.
 - (2) Within any structure, any portion of which is within 1,000 feet of any property line of a property on which any public or nonpublic school or child care center is located.

This subsection applies to any registrant who did not establish his or her residence, in accordance with subsection (d) of this section, prior to August 16, 2006."

SECTION 4. Section 1 of this act becomes effective December 1, 2021, and applies to offenses committed on or after that date. Section 2 of this act becomes effective December 1, 2021, and applies to petitions filed on or after that date. Section 3 of this act becomes effective December 1, 2021, and applies to offenses committed on or after that date by all persons registered or required to register on or after that date. Section 3 of this act does not apply to a person who has established a residence prior to the effective date of that section in accordance with G.S. 14-208.16(d)(1), (2), or (3). The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 19th day of August, 2021.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 11:51 a.m. this 23rd day of August, 2021