

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 379
Committee Substitute Favorable 3/28/17
PROPOSED SENATE COMMITTEE SUBSTITUTE H379-PCS30500-SA-51

Short Title: Recodification Working Group.

(Public)

Sponsors:

Referred to:

March 16, 2017

A BILL TO BE ENTITLED

AN ACT TO ASSIST THE CRIMINAL LAW RECODIFICATION WORKING GROUP.

The General Assembly of North Carolina enacts:

SECTION 1. All State agencies, boards, and commissions that have the power to define conduct as a crime in the North Carolina Administrative Code shall create a list of all crimes defined by the agency, board, or commission that are in effect or pending implementation. Each agency, board, or commission shall submit the list to the Joint Legislative Administrative Procedure Oversight Committee and the Joint Legislative Oversight Committee on Justice and Public Safety no later than December 1, 2018.

SECTION 2. Using the felony and misdemeanor classification tables published by the North Carolina Sentencing and Policy Advisory Commission, the Administrative Office of the Courts (AOC) shall compile a list of North Carolina common law crimes and a list of crimes defined in the North Carolina General Statutes, organized by chapter. AOC shall identify and list any North Carolina criminal statutes that meet one or more of the following criteria:

- (1) The statute is duplicative.
- (2) The statute is inconsistent with other statutes, rarely charged, fails to state a mens rea, or contains undefined terms.
- (3) The statute appears to be obsolete.
- (4) The statute has been held to be unconstitutional by an appellate court.

AOC shall submit the completed lists of common law crimes and criminal statutes, along with any supplemental information, to the Joint Legislative Administrative Procedure Oversight Committee and the Joint Legislative Oversight Committee on Justice and Public Safety no later than February 1, 2019.

SECTION 3. Every county, city, town, or metropolitan sewerage district that has enacted an ordinance punishable pursuant to G.S. 14-4(a) shall create a list of applicable ordinances with a description of the conduct subject to criminal punishment in each ordinance. Each county, city, town, or metropolitan sewerage district shall submit the list to the Joint Legislative Administrative Procedure Oversight Committee and the Joint Legislative Oversight Committee on Justice and Public Safety no later than December 1, 2018.

SECTION 4. This act is effective when it becomes law.



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