

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE BILL 1436**

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

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Sponsors: Representatives Johnson; Capps, Justus, and Steen.

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Referred to: Judiciary III.

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April 21, 2005

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO ADD TO THE LIST OF AGGRAVATING FACTORS FOR A CAPITAL  
3 OFFENSE THAT THE FELONY WAS COMMITTED IN VIOLATION OF A  
4 VALID PROTECTIVE ORDER.

5 The General Assembly of North Carolina enacts:

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

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

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