

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1464

Short Title: Clarify DV Laws/Arrest/Valid Protective Order. (Public)

Sponsors: Representatives Parmon, Womble (Primary Sponsors); E. Floyd and
McLawhorn.

Referred to: Ways and Means/Broadband Connectivity, if favorable, Judiciary II.

April 13, 2009

A BILL TO BE ENTITLED

AN ACT TO CLARIFY DOMESTIC VIOLENCE LAWS REGARDING WHEN A LAW
ENFORCEMENT OFFICER MUST ARREST A PERSON WHO HAS KNOWINGLY
VIOLATED A VALID PROTECTIVE ORDER.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 50B-4.1(b) reads as rewritten:

"(b) A law enforcement officer ~~shall~~must arrest and take a person into custody without a
warrant or other process ~~if the officer has~~where there is probable cause to believe that the
person knowingly has violated a valid protective order excluding the person from the residence
or household occupied by a victim of domestic violence or directing the person to refrain from
doing any or all of the acts specified in G.S. 50B-3(a)(9)."

SECTION 2. This act is effective when it becomes law.

