



# SENATE BILL 223: Habitual Felons/Clarify Previous Convictions.

2017-2018 General Assembly

<b>Committee:</b>	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	March 23, 2017
<b>Introduced by:</b>	Sens. J. Jackson, Britt, Newton	<b>Prepared by:</b>	Jennifer Bedford
<b>Analysis of:</b>	First Edition		Legislative Analyst

**OVERVIEW:** *Senate Bill 223 would clarify what prior criminal convictions may be used to establish habitual felon status.*

**CURRENT LAW:** G.S. 14-7.1 provides that habitual felon is a status declared by a court when a defendant has been convicted of or pled guilty to three felony offenses. In order for a conviction to be used to establish habitual felon status, the offense must meet specific requirements.

Currently in order for a conviction to be used to establish habitual felon status, the prior offense must be for “an offense which is a felony under the laws of the State or other sovereign” where the conviction took place, “regardless of the sentence actually imposed.”

**BILL ANALYSIS:** **Senate Bill 223** would clarify the definition of 'felony offense' as it is used to establish habitual felon status.

Aside from specific exceptions, a 'felony offense' would include:

- A felony in this State.
- A felony in another state.
- A felony under federal law.
- An offense punishable by imprisonment for more than a year, in a state that does not use the classification of felony.

**EFFECTIVE DATE:** This act is effective when it becomes law.

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