



HOUSE BILL 1008: Clarify Sex Offender Registration.

2021-2022 General Assembly

Committee:	House Judiciary 1. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	May 31, 2022
Introduced by:	Reps. Boles, Davis, McNeill, C. Smith	Prepared by:	Brad Krehely
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *House Bill 1008 would make clarifying changes to the sex offender registration process, as recommended by the Joint Legislative Oversight Committee on Justice and Public Safety. The bill would provide: (1) if a person is serving a sentence of more than 24 months in the custody of the North Carolina Division of Adult Correction, the Department of Public Safety may deliver the verification form to the Division instead of sending it by nonforwardable mail to the last reported address of the person and (2) if the petitioner currently resides out of State, the petition to terminate registration must be filed in the county where the person last registered in North Carolina. The act would become effective July 1, 2022, and would apply to verification forms sent and petitions filed on or after that date.*

CURRENT LAW AND BILL ANALYSIS:

Section 1

Any person convicted of an offense against a minor or of a sexually violent offense must register in person as an offender under the Sex Offender and Public Protection Registration Program (Program). G.S. 14-208.6A. A person who is a State resident and who has a reportable conviction must maintain registration with the sheriff of the county where the person resides. G.S. 14-208.7(a). Registration must be maintained for at least 30 years following the date of initial county registration unless the person, after 10 years of registration, successfully petitions the superior court to shorten his or her registration time period. *Id.*

The information in the county registry must be verified semiannually for each registrant. G.S. 14-208.9A(a). Every year on the anniversary of a person's initial registration date, and again six months later, the Department of Public Safety must mail a nonforwardable verification form to the last reported address of the person. G.S. 14-208.9A(a)(1).

Section 1 would provide that if a person is serving a sentence of more than 24 months in the custody of the North Carolina Division of Adult Correction, the Department of Public Safety may deliver the verification form to the Division instead of sending it by nonforwardable mail to the last reported address of the person.

Section 2

Ten years from the date of initial county registration, a person who must register under the Program may petition the superior court to terminate the 30-year registration requirement if the person has not been convicted of a subsequent offense requiring registration. G.S. 14-208.12A(a).

If the reportable conviction is for an offense that occurred in North Carolina, the petition must be filed in the district where the person was convicted of the offense. *Id.*

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If the reportable conviction is for an offense that occurred in another state, the petition must be filed in the district where the person resides. *Id.*

Regardless of where the offense occurred, if the defendant was convicted of a reportable offense in any federal court, the conviction will be treated as an out-of-state offense. *Id.*

Section 2 would provide that if the petitioner currently resides out of State, the petition to terminate registration must be filed in the county where the person last registered in North Carolina.

EFFECTIVE DATE: The act would become effective July 1, 2022, and would apply to verification forms sent and petitions filed on or after that date.