



HOUSE BILL 1008: Clarify Sex Offender Registration.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 8, 2022
Introduced by:	Reps. Boles, Davis, McNeill, C. Smith	Prepared by:	Susan Sitze
Analysis of:	PCS to First Edition H1008-CSSA-43		Staff Attorney

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 make the following changes:

- Allow verification forms sent to the Division of Adult Correction for a person in their custody to be sent by something other than nonforwardable mail if a person is serving a sentence of more than 24 months in the custody of the Division
- Clarify that a petition to terminate registration for an offense committed in North Carolina shall be filed in the district where the conviction occurred, regardless of the petitioner's current county or state of residence.

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 send a verification form by nonforwardable mail 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 by a means other than nonforwardable mail.

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).

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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.*

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 clarify that a petition to terminate registration for an offense committed in North Carolina shall be filed in the district where the conviction occurred, regardless of the petitioner's current county or state of residence.

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.

**Brad Krehely, Staff Attorney, substantially contributed to this summary.*