



2023-2024 General Assembly

# SENATE BILL 20: Care for Women, Children, and Families Act - Part VIII, Expand Satellite-Based Monitoring for Violent and Repeat Sexual Offenders, Increase Punishment for Assault on a Pregnant Woman, and Establish the Crime of Misdemeanor Domestic Violence

**Committee:**  
**Introduced by:**  
**Analysis of:** S.L. 2023-14

**Date:** November 17, 2023  
**Prepared by:** Jason Moran-Bates  
Staff Attorney

**OVERVIEW:** *Part VIII of S.L. 2023-14 expands the list of crimes that make an individual subject to satellite-based monitoring and expands amount of time an individual would be subject to that monitoring. It also makes assault on a pregnant woman and domestic violence crimes.*

*This bill was vetoed by the Governor on May 14, 2023. The veto was overridden by the General Assembly on May 16, 2023. This Part of the act became effective December 1, 2023, and applies to offenses committed on or after that date.*

**CURRENT LAW:** Under current law, individuals can be subject to satellite-based monitoring, for a period not to exceed 10 years, if they are convicted of the statutory rape of a child as an adult or statutory sexual offense with a child by an adult and that conviction is a re-offense. There is no law specifically making assault on a pregnant woman or domestic violence a criminal offense.

**BILL ANALYSIS:** Part VIII S.L. 2023-14 expands the list of crimes making an individual subject to satellite-based monitoring, if the individual was a reoffender of any of those crimes. The list includes: (i) first-degree forcible rape, (ii) second-degree forcible rape, (iii) first-degree statutory rape, (iv) many instances of statutory rape of a person who is 15 or younger, (v) first-degree forcible sexual offense, (vi) second-degree forcible sexual offense, (vii) first-degree statutory sexual offense, (viii) many instances of statutory sexual offense with a person who is 15 or younger, (ix) human trafficking, (x) most incest, (xi) first-degree sexual exploitation of a minor, (xii) patronizing a prostitute with a severe or profound disability, (xiii) promoting prostitution of a minor, (xiv) abuse of a child under 16 by the child's parent, and (xv) a parent allowing the commission of a sexual act upon a child under 16. The individual subject to satellite-based monitoring could be monitored for life.

If the predicate re-offense is (i) sexual activity by a substitute parent or custodian, (ii) sexual activity with a student, (iii) sexual battery, (iv) some forms of incest, (v) employing or permitting a minor to assist in sexual offenses, (vi) indecent exposure to a minor, (vii) second-degree sexual exploitation of a minor, (viii) third-degree sexual exploitation of a minor, (ix) taking indecent liberties with children, (x) solicitation of children via computer, (xi) a school professional taking indecent liberties with a student, or (xii) patronizing a minor prostitute as an adult, then the satellite-based monitoring can continue for 50 years.

Jeffrey Hudson  
Director



Legislative Analysis  
Division  
919-733-2578

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The current misdemeanor assault statute is amended to specify that assaulting a pregnant woman is a Class A1 misdemeanor. A new section is added in Chapter 14 to create a specific crime for domestic violence assault, which is punishable as a Class A1 misdemeanor.

**EFFECTIVE DATE:** This bill was vetoed by the Governor on May 14, 2023. The veto was overridden by the General Assembly on May 16, 2023. This Part of the act became effective December 1, 2023, and applies to offenses committed on or after that date.