



Senate Bill 199: Section by Section

Part I. Expand Duty To Report Crimes Against Juveniles

Part II. Expanding The Statute Of Limitations For Misdemeanor Crimes Involving Abuse Against Children

Part III. Protecting Children Online From High-Risk Sex Offenders.

Part IV. Extend Civil Statute Of Limitations And Require Training

Parts I-IV do the following:

- Increases prosecutorial options when there are delayed reports of juveniles who are victims of violent offenses, sexual offenses, or child abuse.
- Expands the duty to report child abuse.
- Protects children from online predators to comply with the Supreme Court's Ruling in the *Packingham* case.
- Extends the statute of limitations for a civil action for child sexual abuse so that a plaintiff has until age twenty-eight to commence an action; and
- Requires training related to child sexual abuse and sex trafficking for school personnel

Part V. Right to Revoke Consent

- Creates a new definition for "against the will of the other person" to allow persons to revoke consent in a manner that would cause a reasonable person to believe consent is revoked during intercourse or a sex act.
- This deems the 1979 *State v. Way* case as no longer binding in North Carolina.

Part VI. Modernizing Sexual Assault Laws

- Clarifies the definition of the term "caretaker" used in the juvenile code.
- Amends the current law to prohibit the knowing distribution of a beverage that contains a substance that could be injurious to a person's health.
- Amends the definition for the term "mentally incapacitated" used in Article 7B of Chapter 14 to deem the 2008 *State v. Haddock* case as no longer binding law and allow for those who are mentally incapacitated due to their own actions to pursue 2nd degree rape charges.



Part VII. Sex Offender Victim Rights

- Allows victims to appear and be heard by the court regarding a request for termination of the sex offender registration requirement.
- If the victim is present and wishes to be heard, the court shall grant the victim an opportunity to be reasonably heard, through an oral statement, submission of a written statement, or submission of an audio or video statement.

Part VIII. Sex Offender Residential Restrictions

- For the purposes of sex offender residential restrictions--clarifies the term "school" includes any construction project designated for use as a public school if the governing body has notified the sheriff or sheriffs with jurisdiction within 1,000 feet of the construction project of the construction of the public school.

Effective Date: December 1, 2019