

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 217  
Committee Substitute Favorable 3/19/91  
Senate Judiciary II Committee Substitute Adopted 6/11/92

Short Title: New Criminal Offense/Stalking.

(Public)

Sponsors:

Referred to:

March 7, 1991

A BILL TO BE ENTITLED  
AN ACT TO CREATE A NEW OFFENSE OF STALKING.  
The General Assembly of North Carolina enacts:

Section 1. Article 35 of Chapter 14 of the General Statutes is amended by adding the following new section to read:

**"§ 14-277.3. Stalking.**

(a) Offense. – A person commits the offense of stalking if the person willfully on more than one occasion follows or is in the presence of another person without legal purpose:

(1) With the intent to cause emotional distress by placing that person in reasonable fear of death or bodily injury;

(2) After reasonable warning or request to desist by or on behalf of the other person; and

(3) The acts constitute a pattern of conduct over a period of time evidencing a continuity of purpose.

(c) Classification. – A violation of this section is a misdemeanor punishable by imprisonment up to six months, a fine up to one thousand dollars (\$1,000), or both. A person who commits the offense of stalking when there is a court order in effect prohibiting similar behavior is punishable by imprisonment up to two years, a fine up to two thousand dollars (\$2,000), or both. A second or subsequent conviction for stalking occurring within five years of a prior conviction of the same defendant is punishable as a Class I felony."

1           Sec. 2. This act becomes effective October 1, 1992, and applies to offenses  
2 occurring on or after that date.