

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**HOUSE BILL 1003\***  
**Second Edition Engrossed 5/15/07**  
**Senate Judiciary II (Criminal) Committee Substitute Adopted 6/4/08**

Short Title: Aggravating Factor/No Probation Compliance. (Public)

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Sponsors:

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Referred to:

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March 26, 2007

A BILL TO BE ENTITLED

1  
2 AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S  
3 PRIOR WILLFUL FAILURES TO COMPLY WITH CONDITIONS OF RELEASE  
4 WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR  
5 POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 15A-1340.16(d) is amended by adding a new subdivision  
8 to read:

9 "(12a) The defendant willfully failed to comply with conditions of release  
10 when placed on supervised probation, parole, or post-release  
11 supervision during the 10-year period prior to the commission of the  
12 offense for which the defendant is being sentenced."

13 **SECTION 2.** This act becomes effective December 1, 2008, and applies to  
14 offenses committed on or after that date.