

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE DRS45232-LH-7 (11/17)

Short Title: Revoke Consent for Intercourse. (Public)

Sponsors: Senators J. Jackson, Krawiec, and Randleman (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT A PERSON WHO CONTINUES TO ENGAGE IN
3 INTERCOURSE AFTER CONSENT IS WITHDRAWN IS DEEMED TO HAVE
4 COMMITTED THE ACT OF INTERCOURSE BY FORCE AND AGAINST THE WILL
5 OF THE OTHER PERSON.
6 The General Assembly of North Carolina enacts:
7 **SECTION 1.** Article 7A of Chapter 14 of the General Statutes is amended by
8 adding a new section to read:
9 **"§ 14-27.8A. Withdrawal of consent.**
10 (a) A person who initially consents to vaginal intercourse is not deemed to have
11 consented to any penetration that occurs after the person withdraws consent during the course
12 of that vaginal intercourse. A person may withdraw consent to engage in vaginal intercourse in
13 the middle of the intercourse, even if the actual penetration is accomplished with consent and
14 even if there is only one act of vaginal intercourse. The withdrawal of consent must be clearly
15 communicated in a way that a reasonable person would understand to constitute withdrawal of
16 consent.
17 (b) A defendant who continues the act of vaginal intercourse after consent is withdrawn
18 is deemed to have committed the act of vaginal intercourse by force and against the will of the
19 other person."
20 **SECTION 2.** This act becomes effective December 1, 2015, and applies to
21 offenses committed on or after that date.

