GENERAL ASSEMBLY OF NORTH CAROLINASESSION 1991

CHAPTER 804
HOUSE BILL 217

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."

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

In the General Assembly read three times and ratified this the 30th day of June, 1992.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives