

§ 15B-31. Definitions.

The following definitions apply in this Article:

- (1) Commission. – The Crime Victims Compensation Commission established under G.S. 15B-3.
- (2) Convicted. – A finding or verdict of guilty by a jury or by entry of a plea of guilty or no contest, or a finding of not guilty by reason of insanity.
- (3) Crime memorabilia. – Any tangible property belonging to or that belonged to an offender prior to conviction, the value of which is increased by the notoriety gained from the conviction of a felony.
- (4) Earned income. – Income derived from one's own labor or through active participation in a business, as distinguished from income including dividends or investments.
- (5) Eligible person. – Any of the following:
 - a. A victim of the crime for which the offender was convicted.
 - b. A surviving spouse, parent, or child of a deceased victim of the crime for which the offender was convicted.
 - c. Any other person dependent for the person's principal support upon a deceased victim of the crime for which the offender was convicted.However, "eligible person" does not include the offender or an accomplice to the offender.
- (6) Felony. – An offense defined as a felony by any North Carolina or United States statute that was committed in North Carolina and that resulted in physical or emotional injury, or death, to another person.
- (7) Funds of an offender. – All funds and property received from any source by an offender, excluding child support and earned income, where the offender:
 - a. Is an inmate serving a sentence with the Division of Prisons of the Department of Adult Correction or a prisoner confined at a local correctional facility or federal correctional institute, and includes funds that a superintendent, sheriff, or municipal official receives on behalf of an inmate or prisoner and deposits in an inmate account to the credit of the inmate or deposits in a prisoner account to the credit of the prisoner; or
 - b. Is not an inmate or prisoner but who is serving a sentence of probation, conditional discharge, or post-release supervision.
- (8) Offender. – A person who has been convicted of a felony or that person's legal representative or assignee.
- (9) Profit from crime. – Any income, assets, or property obtained through or generated from the commission of a crime for which the offender was convicted, including any income, assets, or property generated from the sale of crime memorabilia or obtained through the use of unique knowledge obtained during the commission of, or in preparation for the commission of the crime, as well as any gain from the sale, conversion, or exchange of the income, assets, or property. "Profit from crime" does not include voluntary donations or contributions to an offender used to assist in the appeal of a conviction, provided the donation or contribution is not given in exchange for something of material value.
- (10) Victim. – Any natural person who suffers physical or emotional injury, or the threat of physical or emotional injury, as the result of the commission of a felony. (2004-159, s. 2; 2011-145, s. 19.1(h); 2017-186, s. 2(gggg); 2021-180, s. 19C.9(p).)