

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH80019-LH-15D (01/15)

Short Title: Habitual Misd. Larceny/Felony.

(Public)

Sponsors: Representative Moore.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE THE OFFENSE OF HABITUAL MISDEMEANOR
LARCENY.

The General Assembly of North Carolina enacts:

SECTION 1. Article 16 of Chapter 14 of the General Statutes is amended by
adding a new section to read:

"§ 14-86.2. Habitual misdemeanor larceny.

(a) The following definitions apply in this section:

(1) "Convicted" means the person has been adjudged guilty of or has entered a plea of guilty or no contest to the misdemeanor larceny charge, and judgment has been entered thereon when the action occurred.

(2) "Misdemeanor larceny" includes the following offenses:

a. Misdemeanor larceny pursuant to G.S. 14-72(a).

b. Any repealed or superseded offense substantially equivalent to misdemeanor larceny under G.S. 14-72(a).

c. Any offense committed in another jurisdiction substantially similar to misdemeanor larceny under G.S. 14-72(a).

(b) A person commits the offense of habitual misdemeanor larceny if that person is 18 years of age or older, commits misdemeanor larceny under G.S. 14-72(a), and has been convicted of five or more prior misdemeanor larceny convictions. A person convicted of violating this section is guilty of a Class H felony.

(c) For purposes of this section, if an offender is convicted of more than one offense of misdemeanor larceny in a single session of district court, or in a single week of superior court or of a court in another jurisdiction, only one of the convictions may be used to establish the offense of habitual misdemeanor larceny."

1 **SECTION 2.** This act becomes effective December 1, 2003, and applies to
2 offenses committed on or after that date.