

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 341

Short Title: Proportionality Review. (Public)

Sponsors: Representatives Glazier, Wainwright, Earle, Parmon (Primary Sponsors);  
Adams, Alexander, Bordsen, Bryant, Coleman, Cunningham, Faison,  
Farmer-Butterfield, Goodwin, Harrison, Insko, Jones, Lucas, McAllister,  
Pierce, Underhill, Weiss, Womble, and Wright.

Referred to: Judiciary II.

February 22, 2007

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE SUPREME COURT IN CONDUCTING THE  
PROPORTIONALITY REVIEW REQUIRED BY LAW SHALL CONSIDER NOT  
ONLY THOSE CAPITAL CASES IN WHICH THE DEATH PENALTY WAS  
IMPOSED BUT ALSO FACTUALLY SIMILAR CASES IN WHICH THE  
SENTENCE OF LIFE IMPRISONMENT WAS IMPOSED.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 15A-2000(d) is amended by adding a new subdivision to  
read:

"(2a) In determining whether a sentence of death imposed under this section is disproportionate, the Supreme Court shall consider and compare factually similar capital cases that have been reviewed on appeal by the Supreme Court or the Court of Appeals. The reported cases compared by the Supreme Court shall include both those in which the jury recommended life imprisonment, with or without parole, and those in which the jury recommended the death penalty."

**SECTION 2.** This act is effective when it becomes law and applies to all capital cases not yet decided by the Supreme Court on direct appeal.