

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 125
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40084-MSz-9B (12/08)

Short Title: Threatened Weapon Inc. in First-Deg Rape. (Public)

Sponsors: Representatives Rogers, Duane Hall, Jackson, and Destin Hall (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ADD THE THREATENED USE OF A WEAPON TO ONE OF THE ELEMENTS
3 FOR FIRST-DEGREE FORCIBLE RAPE, AS RECOMMENDED BY THE NORTH
4 CAROLINA COURTS COMMISSION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S.14-27.21 reads as rewritten:

7 "**§ 14-27.21. First-degree forcible rape.**

8 (a) A person is guilty of first-degree forcible rape if the person engages in vaginal
9 intercourse with another person by force and against the will of the other person, and does any of
10 the following:

11 (1) ~~Employs or displays a~~ Uses, threatens to use, or displays a dangerous or deadly
12 weapon or an article which the other person reasonably believes to be a
13 dangerous or deadly weapon.

14 (2) Inflicts serious personal injury upon the victim or another person.

15 (3) The person commits the offense aided and abetted by one or more other
16 persons.

17 (b) Any person who commits an offense defined in this section is guilty of a Class B1
18 felony.

19 (c) Upon conviction, a person convicted under this section has no rights to custody of or
20 rights of inheritance from any child born as a result of the commission of the rape, nor shall the
21 person have any rights related to the child under Chapter 48 or Subchapter 1 of Chapter 7B of the
22 General Statutes."

23 **SECTION 2.** This act becomes effective December 1, 2017, and applies to offenses
24 committed on or after that date.

