

Changes to Criminal Sexual Assault Statutes as a Result of S.L. 2015-181

Enacted August 5, 2015 and effective December 1, 2015

Old Charge	New Charges	NCGS	Definition	Felony	Sentence	SVO	RO
First Degree Rape 14-27.2	First Degree Forcible Rape	14-27.21	vag. Intercourse, by force/against will AND weapon, serious injury, or with another perp	B1	144-348	yes	yes
	First Degree Statutory Rape	14-27.24	vag. Intercourse, victim under 13, perp over 12 and 4 years older than victim	B1	144-348	no	yes
Second Degree Rape 14-27.3	Second Degree Forcible Rape	14-27.22	vag. Intercourse, by force/against will OR if they are disabled, incapacitated, helpless and perp should reasonably know it	C	44-148	yes	yes
Rape of a Child, Adult Offender 14-27.2A	Statutory Rape of a Child by an Adult	14-27.23	perp is over 18, vag intercourse with child under 13	B1	300-life*	yes	yes
Statutory Rape or Sexual Offense of a Person 15 Years or Younger 14-27.7A	Statutory Rape of a Person 15 years or Younger	14-27.25(a)	vag. Intercourse w/ person 15 or younger when defendant is at least 12 yrs old and 6 years older than victim	B1	144-348	yes	yes
	Statutory Sexual Offense with a Person who is 15 years of age or younger	14-27.30	(a)sexual act with person under 15, perp is at least 12 and 6 years older than victim; (b) or between 4-6 years older	(a)B1; (b)C	(a)144-348; (b)44-148	(a)yes; (b)no	yes
Sexual Offense with a child; adult offender (14-27.4A)	Statutory sexual offense with a child by an adult	14-27.28	sexual act with victim under 13 when perp is over 18 regardless of consent	B1	300-life*	yes	yes

Old Charge	New Charges	NCGS	Definition	Felony	Sentence	SVO ¹	RO ²
First Degree Sexual Offense (14-27.4)	First Degree Forcible Sexual Offense	14-27.26	a sexual act by force/against will of person AND uses weapon, inflicts serious injury, or with other perp	B1	144-348	yes	yes
	First degree statutory sexual offense	14-27.29	sexual act with child under 13, perp is at least 12 and 4 years older than child	B1	144-348	yes	yes
Second Degree Sexual Offense (14-27.5)	Second Degree Forcible Sexual Offense	14.27.27	sexual act by force/against will of other OR if victim is disabled, incapacitated, physically helpless	C	44-148	yes	yes
Intercourse and sex offenses with certain victims; consent no defense (14-27.7)	Sexual activity by substitute parent or guardian	14-27.31	assumed position of parent in home of minor victim, and either vag. Intercourse or act OR if agent of institution that has custody. Consent no defense	E	15-90	yes	yes
	Sexual activity with a student	14-27.32	teacher, school admin, student teacher, safety officer, or coach who is 4 years older has intercourse with student at same school	G	8 to 16	yes	yes
			school personnel other than those listed above AND is less than 4 years older than student with whom intercourse/act occurs	A1 misd	1-60 days	yes	yes

¹SVO = "Sexually Violent Offense" ²RO = "Reportable Offense"

Sex Offender Registry: "Part 2" registration is required of anyone who commits a "reportable offense," which is any offense against a minor, or a sexually violent offense, or an attempt to commit those offenses.

"Part 3" registration requires lifetime Satellite Based Monitoring (SBM). It applies to anyone who must register as a sex offender AND is convicted of (a) an *aggravated offense* , (b) a *repeat offense* or (c) is determined to be a sexually violent predator

* Each sentence is described in number of months, assuming this is the first offense. The range indicates the minimum sentence with mitigating circumstances and the maximum sentence with aggravating circumstances.