



CHAPTER 15
ARTICLE 15 - INDICTMENT

N.C.G.S. § 15-144.2.

Essentials of bill for sex offense.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2018-47, s. 4(j) — fourth act in the lineage	RETRIEVED 21 September 2026, 02:20 UTC	SOURCE FINGERPRINT 457cc44340bb1880ce405399 - 703ad6b85074840bc695bb73 - 4108aa1ed81129f7
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- § 15-144.2(a)

In indictments for sex offense it is not necessary to allege every matter required to be proved on the trial; but in the body of the indictment, after naming the person accused, the date of the offense, the county in which the sex offense was allegedly committed, and the averment "with force and arms," it is sufficient in describing a sex offense to allege that the accused person unlawfully, willfully, and feloniously did engage in a sex offense with the victim, naming the victim, by force and against the will of the victim and concluding as required by law. Any bill of indictment containing the averments and allegations named in this section is good and sufficient in law as an indictment for a first degree sex offense and will support a verdict of guilty of a sex offense in the first degree, a sex offense in the second degree, an attempt to commit a sex offense, or an assault.
- § 15-144.2(b)

If the victim is a person under the age of 13 years, it is sufficient to allege that the defendant unlawfully, willfully, and feloniously did engage in a sex offense with a child under the age of 13 years, naming the child, and concluding as required by law. Any bill of indictment containing the averments and allegations named in this section is good and sufficient in law as an indictment for a sex offense against a child under the age of 13 years and all lesser included offenses.
- § 15-144.2(c)

If the victim is a person who has a mental disability or who is mentally incapacitated or physically helpless, it is sufficient to allege that the defendant unlawfully, willfully, and feloniously did engage in a sex offense with a person who had a mental disability or who was mentally incapacitated or physically helpless, naming the victim, and concluding as required by law. Any bill of indictment containing the averments and

allegations named in this section is good and sufficient in law for a sex offense against a person who has a mental disability or who is mentally incapacitated or physically helpless and all lesser included offenses.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1979		1999		2018
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT				
Nº	YEAR	ACT	CHARACTER	
01	1979	c. 682, s. 11	ENACTED	
02	1983	c. 720, ss. 2, 3	AMENDED	
03	2002	S.L. 2002-159, s. 2(e)	AMENDED	
04	2018	S.L. 2018-47, s. 4(j)	AMENDED	

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15-144.2 (2018).

PINPOINT

N.C. Gen. Stat. § 15-144.2(a) (2018).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1979, c. 682, s. 11; 1983, c. 720, ss. 2, 3; 2002-159, s. 2(e); 2018-47, s. 4(j).)

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