



CHAPTER 15A
ARTICLE 81B - STRUCTURED SENTENCING OF PERSONS CONVICTED OF CRIMES

N.C.G.S. § 15A-1340.16B.

Life imprisonment without parole for a second or subsequent conviction of a Class B1 felony if the victim was 13 years of age or younger and there are no mitigating factors.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT No amendment history on record	RETRIEVED 21 September 2026, 06:39 UTC	SOURCE FINGERPRINT 9dfadd6b0065dcb610e76cf5 - 2ef7dc7130173663727fc6ab - b087d6dfd0bfb028
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§ 15A-1340.16B(-a)
CLASS B1 FELONY

If a person is convicted of a Class B1 felony and it is found as provided in this section that: (i) the person committed the felony against a victim who was 13 years of age or younger at the time of the offense and (ii) the person has one or more prior convictions of a Class B1 felony, then the person shall be sentenced to life imprisonment without parole.

§ 15A-1340.16B(-b)

,(c) Repealed by Session Laws 2003-378, s. 3, effective August 1, 2003.

§ 15A-1340.16B(-d)
CLASS B1 FELONY

An indictment or information for the Class B1 felony shall allege in that indictment or information or in a separate indictment or information the facts set out in subsection (a) of this section. The pleading is sufficient if it alleges that the defendant committed the felony against a victim who was 13 years of age or younger at the time of the felony and that the defendant had one or more prior convictions of a Class B1 felony. One pleading is sufficient for all Class B1 felonies that are tried at a single trial.

§ 15A-1340.16B(-e)

The State shall prove the issues set out in subsection (a) of this section beyond a reasonable doubt during the same trial in which the defendant is tried for the felony unless the defendant pleads guilty or no contest to the issues. The issues shall be

presented in the same manner as provided in G.S. 15A-928(c). If the defendant pleads guilty or no contest to the felony but pleads not guilty to the issues set out in subsection (a) of this section, then a jury shall be impaneled to determine the issues.

§ 15A-1340.16B(f)
MITIGATING FACTOR

Subsection (a) of this section does not apply if there are mitigating factors present under G.S. 15A-1340.16(e). (1998-212, s. 17.16(a); 2003-378, s. 3.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 15A-928(c)	(e)	"the same manner as provided in"
G.S. 15A-1340.16(e)	(f)	"there are mitigating factors present under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1340.16B (2026).

PINPOINT

N.C. Gen. Stat. § 15A-1340.16B(a) (2026).

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.

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