

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 496

Committee Substitute Favorable 5/1/95

Senate Judiciary I/Constitution Committee Substitute Adopted 6/20/95

Short Title: Assault on School Bus Driver.

(Public)

Sponsors:

Referred to:

March 20, 1995

A BILL TO BE ENTITLED

AN ACT TO CREATE AN OFFENSE OF ASSAULTING A SCHOOL BUS DRIVER
AND OTHER SCHOOL PERSONNEL BOARDING OR ON A SCHOOL BUS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-33 reads as rewritten:

"§ 14-33. **Misdemeanor assaults, batteries, and affrays, simple and aggravated; punishments.**

(a) Any person who commits a simple assault or a simple assault and battery or participates in a simple affray is guilty of a Class 1 misdemeanor.

(b) Unless his conduct is covered under some other provision of law providing greater punishment, any person who commits any assault, assault and battery, or affray is guilty of a Class 1 misdemeanor if, in the course of the assault, assault and battery, or affray, he:

- (1) Inflicts, or attempts to inflict, serious injury upon another person or uses a deadly weapon;
- (2) Assaults a female, he being a male person at least 18 years of age;
- (3) Assaults a child under the age of 12 years;
- (4) through (7) Repealed by Session Laws 1991, c. 525, s. 1;

- 1 (8) Assaults an officer or employee of the State or of any political
2 subdivision of the State, a company police officer certified pursuant to
3 the provisions of Chapter 74E of the General Statutes, or a campus
4 police officer certified pursuant to the provisions of Chapter 17C or
5 Chapter 116 of the General Statutes, when the officer or employee is
6 discharging or attempting to discharge his official duties; or
7 (9) Commits an assault and battery against a sports official when the sports
8 official is discharging or attempting to discharge official duties at a
9 sports event, or immediately after the sports event at which the sports
10 official discharged official duties. A "sports official" is a person at a
11 sports event who enforces the rules of the event, such as an umpire or
12 referee, or a person who supervises the participants, such as a coach. A
13 "sports event" includes any interscholastic or intramural athletic activity
14 in a primary, middle, junior high, or high school, college, or university,
15 any organized athletic activity sponsored by a community, business, or
16 nonprofit organization, any athletic activity that is a professional or
17 semiprofessional event, and any other organized athletic activity in the
18 State.
19 (10) Assaults a school bus driver, school bus monitor, or school employee
20 who is boarding the school bus or who is on the school bus."

21 Sec. 2. This act becomes effective December 1, 1995, and applies to offenses
22 committed on or after that date.