

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 427

Short Title: Assault Corrections Officer/AB.

(Public)

Sponsors: Representatives Kiser; Barbee, Carpenter, Dedmon, Gulley, Hall, Hardy, Justus, Morris, Rayfield, Sexton, Shubert, Smith, Thompson, Weatherly, and G. Wilson.

Referred to: Judiciary II.

March 6, 1997

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE PENALTIES FOR CERTAIN ASSAULTS ON A
2 PROBATION OFFICER, PAROLE OFFICER, OR STATE OR COUNTY
3 CORRECTIONS EMPLOYEE.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 14-34.5 reads as rewritten:

7 "**§ 14-34.5. Assault with a firearm on a law ~~enforcement officer.~~ enforcement,**
8 **probation, or parole officer or on a person employed at a State or local**
9 **detention facility.**

10 (a) Any person who commits an assault with a firearm upon a law enforcement
11 ~~officer-officer, probation officer, or parole officer~~ while the ~~law enforcement-officer~~ is in
12 the performance of his or her duties is guilty of a Class E felony.

13 (b) Anyone who commits an assault with a firearm upon a person who is
14 employed at a detention facility operated under the jurisdiction of the State or a local
15 government while the employee is in the performance of the employee's duties is guilty
16 of a Class E felony."

17 Section 2. G.S. 14-34.7 reads as rewritten:

18 "**§ 14-34.7. Assault on a law ~~enforcement officer.~~ enforcement, probation, or parole**
19 **officer or on a person employed at a State or local detention facility.**

1 (a) Unless covered under some other provision of law providing greater
2 punishment, a person is guilty of a Class F felony if the person assaults a law
3 enforcement ~~officer-officer, probation officer, or parole officer~~ while the ~~law enforcement~~
4 officer is discharging or attempting to discharge his or her official duties and inflicts
5 serious bodily injury on the ~~law enforcement-officer~~.

6 (b) Anyone who assaults a person who is employed at a detention facility operated
7 under the jurisdiction of the State or a local government while the employee is in the
8 performance of the employee's duties and inflicts serious bodily injury on the employee is
9 guilty of a Class F felony, unless the person's conduct is covered under some other
10 provision of law providing greater punishment."

11 Section 3. This act becomes effective December 1, 1997, and applies to
12 offenses committed on or after that date.