

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

H

1

HOUSE BILL 1227\*

Short Title: Bullet-Proof Vest/Commit Felony.

(Public)

---

Sponsors: Representatives Horn; Allen, Barefoot, Clary, Dedmon, Edwards, Fox, Haire, Hill, Hurley, Luebke, McCrary, McLawhorn, Redwine, Russell, Thomas, Thompson, Warren, Warwick, Womble, and Yongue.

---

Referred to: Judiciary II.

---

April 15, 1999

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE  
2 IMPOSED ON A PERSON WHO POSSESSES A BULLET-PROOF VEST WHILE  
3 COMMITTING A FELONY.  
4

5 The General Assembly of North Carolina enacts:

6 Section 1. Part 2 of Article 81B of Chapter 15A of the General Statutes is  
7 amended by adding a new section to read:

8 "**§ 15A-1340.16C. Enhanced sentence if defendant is convicted of a felony and the**  
9 **defendant possessed a bullet-proof vest during the commission of the**  
10 **felony.**

11 (a) If a person is convicted of a felony and the court finds that the person  
12 possessed a bullet-proof vest at the time of the felony, then the person is guilty of a  
13 felony that is one class higher than the underlying felony for which the person was  
14 convicted.

15 (b) This section does not apply if the evidence that the person possessed a bullet-  
16 proof vest is needed to prove an element of the underlying felony for which the person  
17 was convicted."

1           Section 2. This act becomes effective December 1, 1999, and applies to  
2 offenses committed on or after that date.