

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 431

Short Title: Amend Armed Robbery/Apparent Firearm. (Public)

Sponsors: Senators Rucho; Allran, Apodaca, Bingham, Brown, Clodfelter, Dannelly, East, Forrester, Goodall, Graham, Hartsell, Hoyle, Hunt, Jacumin, Preston, and Tillman.

Referred to: Judiciary I.

March 5, 2009

A BILL TO BE ENTITLED

AN ACT TO MAKE IT A CLASS D FELONY TO COMMIT A ROBBERY WITH AN APPARENT FIREARM.

The General Assembly of North Carolina enacts:

SECTION 1. The catch line of G.S. 14-87 reads as rewritten:

"§ 14-87. **Robbery with firearms or other dangerous ~~weapons~~ weapons; robbery with apparent firearm.**"

SECTION 2. G.S. 14-87 is amended by adding a new subsection to read:

"(e) Any person who possesses, uses, or threatens to use an apparent firearm that a reasonable person under the circumstances would believe endangered or threatened his or her life and who unlawfully takes or attempts to take personal property from another or from any place of business, residence, banking institution, or any other place where there is a person in attendance, at any time, either day or night, or who aids or abets any person in the commission of such crime is guilty of a Class D felony. For purposes of this subsection the term "apparent firearm" shall include any article that a reasonable person would believe to be a firearm."

SECTION 3. This act becomes effective December 1, 2009, and applies to offenses committed on or after that date.

