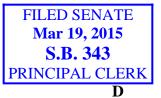
## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2015



## SENATE DRS25117-LH-128 (03/12)

Short Title:	Student Assault On Teacher/Felony Offense.	(Public)
Sponsors:	Senator Tillman (Primary Sponsor).	
Referred to:		

1		A BILL TO BE ENTITLED	
2	AN ACT	TO MAKE IT A FELONY OFFENSE FOR A STUDENT WHO IS	S SIXTEEN
3	YEAF	RS OF AGE OR OLDER TO ASSAULT A SCHOOL EMPLOYEE O	N SCHOOL
4	PROP	PERTY WHEN THE EMPLOYEE IS DISCHARGING OFFICIAL DUTI	ES OR THE
5	ASSA	AULT IS COMMITTED AS A RESULT OF THE DISCHARGE OR AT	ТЕМРТ ТО
6	DISC	HARGE THE INDIVIDUAL'S DUTIES AS A SCHOOL EMPLOYEE.	
7	The Gene	ral Assembly of North Carolina enacts:	
8		SECTION 1. Article 8 of Chapter 14 of the General Statutes is amended	ed by adding
9		tion to read:	
10	"§ 14-33.3. Student assault on a school employee.		
11	<u>(a)</u>	<u>Definitions. – The following definitions apply in this section:</u>	
12		(1) Duties. – All activities on school property.	
13		(2) Employee. – Has the same meaning as G.S. 14-33(c)(6)b.1. and 2	<u>2.</u>
14		(3) School property. – Any school building, bus, school campu	us, grounds,
15		recreational area, athletic field, or other property owned, used,	or operated
16		by any board of education or school board of trustees, or direct	ctors for the
17		administration of any primary or secondary school.	
18		(4) Student. – A person enrolled in a public school, a charter school	
19		under G.S. 115C-218.5, or a nonpublic school which has file	
20		operate under Part 1 or Part 2 of Article 39 of Chapter 115C of	the General
21		Statutes.	
22	<u>(b)</u>	Offense Unless the conduct is covered under some other provis	
23		greater punishment, a student who assaults a school employee is guilty	of a felony
24	offense un	nder this section if all of the following criteria are satisfied:	
25		(1) The student is 16 years of age or older.	
26		(2) The student assaults the school employee when the employee is	
27		or attempting to discharge his or her duties as an employee, or	
28		assaults the school employee as a result of the discharge or	r attempt to
29		discharge that individual's duties as a school employee.	
30		(3) The assault occurs on school property.	
31	<u>(c)</u>	Penalty A student convicted of a first offense under this section is	
32		elony. A student convicted of a second or subsequent offense under th	is section is
33	guilty of a	a Class G felony."	
34		SECTION 2. This act becomes effective December 1, 2015, and	1 applies to
35	offenses c	committed on or after that date.	



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