

GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 1994

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HOUSE BILL 222

Short Title: Death Penalty/Murder Law Officer.

(Public)

Sponsors: Representatives Balmer; Bowman, Gardner, Lemmond, and Warner.

Referred to: Judiciary III.

February 15, 1994

A BILL TO BE ENTITLED

AN ACT TO REQUIRE A PERSON WHO MURDERS A SWORN LAW
ENFORCEMENT OFFICER TO BE SENTENCED TO DEATH.

The General Assembly of North Carolina enacts:

Section 1. Article 6 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-17.2. Murder of a sworn law enforcement officer.

A person who commits first or second degree murder, as defined in G.S. 14-17, is guilty of murder of a law enforcement officer if the murder victim was a sworn law enforcement officer who either was performing an official duty when the murder occurred or was murdered because of the prior exercise of an official duty. Murder of a law enforcement officer is a Class A felony punishable by death. Upon conviction or adjudication of guilt of a defendant for murder of a law enforcement officer, the court shall sentence the defendant to death. A law enforcement officer includes a federal, State, or local law enforcement officer."

Sec. 2. G.S. 15A-2000(e)(8) reads as rewritten:

"(8) The capital felony was committed against a ~~law enforcement officer, an~~ employee of the Department of Correction, ~~or a~~ jailer, fireman, judge or justice, former judge or justice, prosecutor or former prosecutor, juror or former juror, or witness or former witness against the defendant, while engaged in the performance of his official duties or because of the exercise of his official duty."

Sec. 3. This act becomes effective July 1, 1994, and applies to offenses committed on or after that date.