

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1204
Committee Substitute Favorable 6/19/96

Short Title: Assault Law Officer/Firefighter.

(Public)

Sponsors:

Referred to:

May 16, 1996

A BILL TO BE ENTITLED

AN ACT TO MAKE IT A CLASS F FELONY OFFENSE TO ASSAULT A LAW ENFORCEMENT, CORRECTIONAL, PROBATION, PAROLE, OR DETENTION OFFICER AND INFLICT SERIOUS BODILY INJURY AND TO CREATE A NEW CRIMINAL OFFENSE OF ASSAULTING A FIREFIGHTER.

The General Assembly of North Carolina enacts:

Section 1. Article 8 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-34.7. Assault on a law enforcement, correctional, probation, parole, or detention officer.

A person is guilty of a Class F felony if the person assaults a law enforcement, correctional, probation, parole, or detention officer while the officer is discharging or attempting to discharge his or her official duties and inflicts serious bodily injury on the officer."

Sec. 2. G.S. 143-34.6 reads as rewritten:

"§ 14-34.6. Assault or affray on a firefighter; an emergency medical technician, ambulance attendant, emergency department nurse, or emergency department physician.

1 (a) A person is guilty of a Class A1 misdemeanor if the person commits an assault
2 or an affray on any of the following persons who are discharging or attempting to
3 discharge their official duties:

4 (1) ~~an~~ An emergency medical technician, technician.

5 (2) An ambulance attendant, attendant.

6 (3) An emergency department nurse, or nurse.

7 (4) An emergency department physician while the technician, attendant,
8 nurse, or physician is discharging or attempting to discharge official
9 duties. physician.

10 (5) A firefighter.

11 (b) ~~Unless a person's conduct is covered under some other provision of law providing~~
12 ~~greater punishment, a~~ A person is guilty of a Class I felony if the person violates
13 subsection (a) of this section and (i) inflicts serious bodily injury or (ii) uses a deadly
14 weapon other than a firearm.

15 (c) ~~Unless a person's conduct is covered under some other provision of law providing~~
16 ~~greater punishment, a~~ A person is guilty of a Class F felony if the person violates
17 subsection (a) of this section and uses a firearm."

18 Sec. 3. This act becomes effective January 1, 1997, and applies to offenses
19 committed on or after that date.