

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 494
Second Edition Engrossed 5/9/95

Short Title: Assault Law Officer With Gun.

(Public)

Sponsors: Representatives Clary; Capps, Carpenter, Culp, Cummings, Davis, Eddins, Ives, Kiser, McComas, McMahan, K. Miller, Mitchell, Owens, Pate, Pulley, Rayfield, Reynolds, Sexton, Sherrill, Snowden, Tolson, Weatherly, and G. Wilson.

Referred to: Judiciary II.

March 16, 1995

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR ASSAULT UPON A LAW ENFORCEMENT OFFICER WITH A FIREARM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-34.2 reads as rewritten:

"§ 14-34.2. Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers.

~~Any~~ Unless a person's conduct is covered under some other provision of law providing greater punishment, any person who commits an assault with a firearm or any other deadly weapon upon an officer or employee of the State or of any political subdivision of the State, a company police officer certified pursuant to the provisions of Chapter 74E of the General Statutes, or a campus police officer certified pursuant to the provisions of Chapter 17C or Chapter 116 of the General Statutes, in the performance of his duties shall be guilty of a Class F felony."

Sec. 2. Article 8 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-34.5. Assault with a firearm on a law enforcement officer.

1 Any person who commits an assault with a firearm or other deadly weapon upon a
2 law enforcement officer in the performance of his or her duties is guilty of a Class E
3 felony."

4 Sec. 3. This act becomes effective December 1, 1995, and applies to offenses
5 committed on or after that date.