

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 997

Short Title: Larceny/Law Enforcement Equipment.

(Public)

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Sponsors: Senator Odom.

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Referred to: Judiciary II.  
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April 15, 1999

A BILL TO BE ENTITLED  
AN ACT TO PROVIDE THAT THE THEFT OF LAW ENFORCEMENT  
EQUIPMENT IS FELONY LARCENY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-72(b) reads as rewritten:

"(b) The crime of larceny is a felony, without regard to the value of the property in question, if the larceny is:

- (1) From the person; or
- (2) Committed pursuant to a violation of G.S. 14-51, 14-53, 14-54 or 14-57; or
- (3) Of any explosive or incendiary device or substance. As used in this section, the phrase 'explosive or incendiary device or substance' shall include any explosive or incendiary grenade or bomb; any dynamite, blasting powder, nitroglycerin, TNT, or other high explosive; or any device, ingredient for such device, or type or quantity of substance primarily useful for large-scale destruction of property by explosive or incendiary action or lethal injury to persons by explosive or incendiary action. This definition shall not include fireworks; or any form, type, or quantity of gasoline, butane gas, natural gas, or any other substance having explosive or incendiary properties but serving a legitimate nondestructive or nonlethal use in the form, type, or quantity stolen.

- (4) Of any firearm. As used in this section, the term 'firearm' shall include any instrument used in the propulsion of a shot, shell or bullet by the action of gunpowder or any other explosive substance within it. A 'firearm,' which at the time of theft is not capable of being fired, shall be included within this definition if it can be made to work. This definition shall not include air rifles or air pistols.
- (5) Of any record or paper in the custody of the North Carolina State Archives as defined by G.S. 121-2(7) and ~~121-2(8)~~. G.S. 121-2(8).
- (6) Of any equipment owned by, or in the possession and control of, a law enforcement officer or law enforcement agency. As used in this subdivision, the term 'equipment' shall include blue or red lights, radios, handcuffs, batons or similar impact weapons, oleo capiscum, mace or similar aerosol devices, belts, holsters, cases and pouches, protective vests, uniforms, badges, issued identification, or flashlights."

Section 2. This act becomes effective October 1, 1999.