

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH45042-LL-125 (04/02)

Short Title: Firefighters & Rescue Workers/Arson.

(Public)

Sponsors: Representative Warren.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT PERSONS CONVICTED OF CERTAIN OFFENSES SHALL NOT BE EMPLOYED BY FIRE DEPARTMENTS OR RESCUE SQUADS FOR SPECIFIED PERIODS AFTER THE CONVICTIONS, TO ESTABLISH A CRIMINAL OFFENSE FOR MAKING APPLICATION FOR EMPLOYMENT WITH FIRE DEPARTMENTS OR RESCUE SQUADS WITHIN THOSE SPECIFIED PERIODS, AND TO ESTABLISH A CRIMINAL OFFENSE FOR COMMITTING CERTAIN ACTS WHILE A MEMBER OF A FIRE DEPARTMENT OR RESCUE SQUAD.

The General Assembly of North Carolina enacts:

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

"§ 14-69.3. Arson or related burning offenses committed by firefighters and rescue squad workers.

(a) Unless the conduct is covered by some other provision of law providing for greater punishment, any person who violates G.S. 14-58, 14-58.2, 14-59, 14-60, 14-61, 14-62, 14-62.1, 14-62.2, 14-63, 14-64, 14-65, 14-66, or 14-67.1 while employed by a fire department or rescue squad is guilty of a Class H felony.

(b) Any person who knowingly makes application for employment with a fire department or rescue squad within five years after a conviction for a violation listed in subsection (a) of this section or within 10 years of such a conviction involving the burning of real property valued at more than twenty-five thousand dollars (\$25,000) is guilty of a Class 1 misdemeanor.

(c) No person who has been convicted after the age of 16 with a violation of any of the offenses listed in subsection (a) of this section may serve as a member of a fire department or rescue squad in this State for a period of at least five years from the date of the conviction, unless the conviction involved the burning of real property valued at

1 more than twenty-five thousand dollars (\$25,000) in which case the person may not
2 serve as a member of a fire department or rescue squad for at least 10 years from the
3 date of the conviction.

4 During any suspension resulting from the provisions of this section, a person
5 previously employed as a firefighter or rescue squad worker may not carry a red light or
6 warning lights in their vehicle."

7 **SECTION 2.** This act becomes effective December 1, 2003, and applies to
8 offenses committed on or after that date.