

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 353

Short Title: Explosive Devices Offenses.-AB

(Public)

Sponsors: Representative Haire.

Referred to: Judiciary IV.

March 6, 2003

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE CRIMINAL PENALTY FOR COMMITTING
2 CERTAIN EXPLOSIVE DEVICES OFFENSES, AS RECOMMENDED BY THE
3 NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 14-49 reads as rewritten:

7 "**§ 14-49. Malicious use of explosive or incendiary; punishment.**

8 (a) Any person who willfully and maliciously injures another by the use of any
9 explosive or incendiary device or material is guilty of a Class ~~D~~B1 felony.

10 (b) Any person who willfully and maliciously damages any real or personal
11 property of any kind or nature belonging to another by the use of any explosive or
12 incendiary device or material is guilty of a Class ~~G-D~~D felony.

13 (b1) Any person who willfully and maliciously damages, aids, counsels, or
14 procures the damaging of any church, chapel, synagogue, mosque, masjid, or other
15 building of worship by the use of any explosive or incendiary device or material is
16 guilty of a Class ~~E-C~~C felony.

17 (c) Repealed by Session Laws 1993, c. 539, s. 1149."

18 **SECTION 2.** G.S. 14-49.1 reads as rewritten:

19 "**§ 14-49.1. Malicious damage of occupied property by use of explosive or
20 incendiary; punishment.**

21 Any person who willfully and maliciously damages any real or personal property of
22 any kind or nature, being at the time occupied by another, by the use of any explosive or
23 incendiary device or material is guilty of a felony punishable as a Class ~~D~~B1 felony."

24 **SECTION 3.** This act becomes effective December 1, 2003, and applies to
25 offenses committed on or after that date.