

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1276

Short Title: Shoot at Law Officer/10 Year Active Minimum. (Public)

Sponsors: Representatives Rapp, R. Warren, Justus, Goforth (Primary Sponsors); Avila, Barnhart, Blackwell, Blackwood, Blust, Braxton, Brisson, Brown, Burr, Burris-Floyd, Cotham, Daughtry, Dockham, Dollar, Faison, Frye, Glazier, Guice, Hilton, Holloway, Howard, Hurley, Johnson, Justice, Langdon, Lewis, Lucas, McCormick, McGee, McLawhorn, Moore, Neumann, Randleman, Samuelson, Setzer, Spear, Starnes, Steen, Wiley, Williams, and Wray.

Referred to: Judiciary III, if favorable, Appropriations.

April 9, 2009

A BILL TO BE ENTITLED

AN ACT TO MAKE IT A CLASS D FELONY TO DISCHARGE A FIREARM AT A LAW ENFORCEMENT OFFICER PUNISHABLE BY A MINIMUM ACTIVE SENTENCE OF TEN YEARS.

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:

"§ 14-34.10. Discharging a firearm at a law enforcement officer.

Unless covered under some other provision of law providing greater punishment, any person who willfully or wantonly discharges or attempts to discharge a firearm at a law enforcement officer while the officer is in the performance of his or her duties is guilty of a Class D felony. Notwithstanding G.S. 15A-1340.17, a person convicted of an offense under this section shall be sentenced to a minimum term of 120 months in the State's prison. A person being sentenced under this subsection shall not receive a suspended sentence or be placed on probation."

SECTION 2. This act becomes effective December 1, 2009, and applies to offenses committed on or after that date.

