

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

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HOUSE BILL 691

Short Title: Assault on National Guard Member. (Public)

Sponsors: Representatives Whitmire, Pendleton, and Robinson (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary III.

April 14, 2015

A BILL TO BE ENTITLED

AN ACT TO MAKE IT A FELONY TO ASSAULT A MEMBER OF THE NORTH CAROLINA NATIONAL GUARD WHO IS DISCHARGING OR ATTEMPTING TO DISCHARGE OFFICIAL DUTIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-34.6 reads as rewritten:

"§ 14-34.6. Assault or affray on a firefighter, an emergency medical technician, medical responder, a member of the North Carolina National Guard, and emergency department personnel.

(a) A person is guilty of a Class I felony if the person commits an assault or affray causing physical injury on any of the following persons who are discharging or attempting to discharge their official duties:

- (1) An emergency medical technician or other emergency health care provider.
- (2) A medical responder.
- (3) The following emergency department personnel: physicians, physicians assistants, nurses, and licensed nurse practitioners.
- (4) Repealed by Session Laws 2011-356, s. 2, effective December 1, 2011, and applicable to offenses committed on or after that date.
- (5) A firefighter.
- (6) A member of the North Carolina National Guard.

(b) Unless a person's conduct is covered under some other provision of law providing greater punishment, a person is guilty of a Class H felony if the person violates subsection (a) of this section and (i) inflicts serious bodily injury or (ii) uses a deadly weapon other than a firearm.

(c) Unless a person's conduct is covered under some other provision of law providing greater punishment, a person is guilty of a Class F felony if the person violates subsection (a) of this section and uses a firearm."

SECTION 2. This act becomes effective December 1, 2015, and applies to offenses committed on or after that date.

