

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1385

Short Title: Felony to Assault Educator.

(Public)

Sponsors: Representatives Hall; Alphin, Balmer, Bowman, Hill, Joye, McCrary, Mitchell, Nichols, Smith, Warner, and Wilkins.

Referred to: Rules, Calendar, and Operations of the House.

May 13, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE IT A FELONY TO ASSAULT AN EDUCATOR AND TO
3 APPROPRIATE FUNDS TO INFORM STUDENTS OF THIS ACT.

4 The General Assembly of North Carolina enacts:

5 Section 1. Article 8 of Chapter 14 of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 14-32.3. Assault on an educator.**

8 (a) For the purpose of this section, the term 'educator' includes a member of the
9 administrative staff, coaching staff, teaching staff, a teacher's aid, or a guidance
10 counselor at a private or public school.

11 (b) A person, 14 years old or older, who assaults an educator is guilty of a Class J
12 felony if:

13 (1) The educator was discharging official duties at the time of the assault;
14 or

15 (2) The assault occurred on the grounds of the school at which the
16 educator is employed.

17 (c) A person convicted of an offense under this section shall serve a mandatory
18 minimum term of imprisonment of no less than 90 days. The sentencing judge may not
19 suspend the mandatory 90-day term of imprisonment or place the person on probation
20 for the mandatory 90-day term of imprisonment. During that time the prisoner is not
21 eligible for early parole or early release."

1 Sec. 2. There is appropriated from the General Fund to the Department of
2 Public Instruction the sum of five thousand dollars (\$5,000) for the 1993-94 fiscal year
3 to inform students of this act.

4 Sec. 3. This act becomes effective December 1, 1993, and applies to offenses
5 committed on or after that date.