GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 120

Short Title: Threatening Judicial/Law Officer. (Public			
Sponsors: Representatives Hill; D. Brown, Church, Creech, Ellis, Hall, McLawhorn, J. Preston, and Yongue.			
Referred to: Judiciary III.			
February 14, 1994			
A BILL TO BE ENTITLED			
AN ACT TO MAKE IT A CLASS I FELONY TO THREATEN A JUDICIAL			
OFFICER OR A LAW ENFORCEMENT OFFICER.			
The General Assembly of North Carolina enacts:			
Section 1. G.S. 14-277.1 reads as rewritten:			
"§ 14-277.1. Communicating threats.			
(a)	A pe	A person is guilty of a misdemeanor if without lawful authority:	
	(1)	He willfully threatens to physically injure the person or damage the	
		property of another;	
	(2)	The threat is communicated to the other person, orally, in writing, or	
		by any other means;	
	(3)	The threat is made in a manner and under circumstances which would	
		cause a reasonable person to believe that the threat is likely to be	
		carried out; and	
(1.)	(4)	The person threatened believes that the threat will be carried out.	
(b) A violation of subsection (a) of this section is punishable by a fine of not			
more than five hundred dollars (\$500.00), imprisonment of not more than six months, or			
both. both, except that a violation of subsection (a) of this section is a Class I felony if			
the person threatened is a present or former law enforcement officer, judge, justice, or			
prosecutor and the threat is communicated either because of, or while the person			

Sec. 2. G.S. 14-277.1, as amended by Section 172 of Chapter 539 of the 1993 Session Laws, reads as rewritten:

threatened is engaged in, his or her official duties."

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"§ 14-277.1. (Effective January 1, 1995) Communicating threats.

- (a) A person is guilty of a Class 1 misdemeanor if without lawful authority:
 - (1) He willfully threatens to physically injure the person or damage the property of another;
 - (2) The threat is communicated to the other person, orally, in writing, or by any other means;
 - (3) The threat is made in a manner and under circumstances which would cause a reasonable person to believe that the threat is likely to be carried out; and
 - (4) The person threatened believes that the threat will be carried out.
- (b) A violation of this section is a Class 1 misdemeanor. A violation of subsection (a) of this section is a Class I felony if the person threatened is a present or former law enforcement officer, judge, justice, or prosecutor and the threat is communicated either because of, or while the person threatened is engaged in, his or her official duties."
- Sec. 3. Section 1 of this act becomes effective July 1, 1994, applies to offenses committed on or after that date, and expires January 1, 1995. Section 2 of this act becomes effective January 1, 1995, and applies to offenses committed on or after that date. The remainder of this act is effective upon ratification.