

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 122

Short Title: Redefine Burglary.

(Public)

Sponsors: Representatives Lee, Hightower; Bowman, Flaherty, and Hill.

Referred to: Judiciary III.

February 14, 1994

A BILL TO BE ENTITLED

AN ACT TO REDEFINE THE CRIME OF BURGLARY TO INCLUDE AN  
OFFENSE THAT OCCURS IN THE DAYTIME AS WELL AS IN THE  
EVENING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-51 reads as rewritten:

"§ 14-51. **First and second degree burglary.**

There ~~shall be~~ are two degrees in the crime of ~~burglary as defined at the common law.~~  
burglary. If the crime be committed in If any person enters at any time a dwelling house,  
or ~~in~~ a room used as a sleeping apartment in any building, ~~building with the intent to~~  
commit any larceny or felony therein, and any person is in the actual occupation of any  
part of ~~said the~~ dwelling house or sleeping apartment at the time of the commission of  
~~such the~~ crime, it shall be is burglary in the first degree. If ~~such the~~ crime be is committed  
in a dwelling house or sleeping apartment not actually occupied by anyone at the time  
of the commission of the crime, or if it ~~be~~ is committed in any house within the curtilage  
of a dwelling house or in any building not a dwelling house, but in which is a room used  
as a sleeping apartment and not actually occupied as such at the time of the commission  
of the crime, it ~~shall be~~ is burglary in the second degree. For the purposes of defining the  
crime of burglary, larceny ~~shall be~~ is deemed a felony without regard to the value of the  
property in question."

Sec. 2. G.S. 14-53 is repealed.

Sec. 3. This act becomes effective April 1, 1994, and applies to offenses  
committed on or after that date.