

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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SENATE BILL 113

Short Title: False Bomb Alarm/Felony.

(Public)

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Sponsors: Senators Albertson; Jordan, Warren, and Perdue.

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Referred to: Courts.

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February 15, 1994

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTIES FOR MAKING FALSE BOMB  
REPORTS TO CERTAIN EDUCATIONAL, INDUSTRIAL, AND  
GOVERNMENTAL FACILITIES AND FOR USING A FALSE BOMB TO  
CREATE A SCARE IN THESE FACILITIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-69.1, as amended by Sections 32 and 1162 of Chapter 539  
of the 1993 Session Laws, reads as rewritten:

**"§ 14-69.1. Making a false report concerning destructive device.**

(a) If any person ~~shall, makes a report,~~ by any means of communication to any person or group of persons, ~~make a report,~~ knowing or having reason to know the ~~same~~ report to be false, that there is located in any building, ~~house-house,~~ or other structure whatsoever or any vehicle, aircraft, ~~vessel-vessel,~~ or boat any device designed to destroy or damage the building, ~~house-house,~~ or structure or vehicle, aircraft, ~~vessel-vessel,~~ or boat by explosion, ~~blasting-blasting,~~ or burning, ~~he-the person~~ shall be guilty of a Class 1 misdemeanor.

(b) If any person ~~shall, makes a report,~~ by any means of communication to any person or group of persons, ~~make a report,~~ knowing or having reason to know the ~~same~~ report to be false, that there is located in any ~~hospital facility as defined in G.S. 131E-6,~~ facility listed below any device designed to destroy or damage the ~~hospital or health-clinic facility~~ by explosion, blasting, or burning, ~~he-the~~ person shall, upon a first conviction, be guilty of a Class 1 misdemeanor, punishable by a minimum of 100 hours of mandatory community service. Upon a second or

1 subsequent conviction under this subsection, ~~he the person~~ shall be guilty of a Class I  
2 felony. This subsection applies to the following facilities:

3 (1) A hospital facility as defined in G.S. 131E-6, which includes a health  
4 clinic facility.

5 (2) A building owned or maintained by the State or a unit of local  
6 government and used for carrying out a function of the State, a State  
7 agency, a unit of local government, or a local government agency.

8 (3) A school or other educational facility.

9 (4) An industrial plant as defined in G.S. 20-376."

10 Sec. 2. G.S. 14-69.2, as amended by Section 33 of Chapter 539 of the 1993  
11 Session Laws, reads as rewritten:

12 "**§ 14-69.2. Perpetrating hoax by use of false bomb or other device.**

13 (a) If any person, with intent to perpetrate a hoax, ~~shall secrete, place or display~~  
14 ~~secretes, places, or displays~~ any device, machine, ~~instrument-instrument~~, or artifact, so as  
15 to cause any person reasonably to believe the ~~same item~~ to be a bomb or other device  
16 capable of causing injury to persons or property, ~~he the person~~ shall be guilty of a Class  
17 1 misdemeanor.

18 (b) A violation of subsection (a) of this section that occurs in a ~~hospital facility as~~  
19 ~~defined in G.S. 131E-6 facility~~ listed below is, upon a first conviction, a Class 1  
20 misdemeanor punishable by a minimum of 100 hours of mandatory community service.

21 This subsection applies to the following facilities:

22 (1) A hospital facility as defined in G.S. 131E-6, which includes a health  
23 clinic facility.

24 (2) A building owned or maintained by the State or a unit of local  
25 government and used for carrying out a function of the State, a State  
26 agency, a unit of local government, or a local government agency.

27 (3) A school or other educational facility.

28 (4) An industrial plant as defined in G.S. 20-376.

29 (c) A second or subsequent conviction under ~~subsection (a) of this section~~ is a  
30 Class I felony."

31 Sec. 3. This act becomes effective January 1, 1995, and applies to offenses  
32 committed on or after that date.