

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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SENATE BILL 113

Select Committee on Courts Committee Substitute Adopted 2/24/94

Short Title: False Bomb Alarm/Felony.

(Public)

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Sponsors:

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Referred to: Rules and Operation of the Senate.

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February 15, 1994

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTIES FOR MAKING FALSE BOMB REPORTS AND FOR USING A FALSE BOMB TO CREATE A SCARE.

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, make 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-misdemeanor.~~ If the sentence is suspended upon conditions of probation, a minimum of 100 hours of community service must be a condition of probation. Upon a second or subsequent conviction under this section, the person shall be guilty of a Class I felony.

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

1 ~~Upon a second or subsequent conviction under this subsection, he shall be guilty of a~~  
2 ~~Class I felony."~~

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

5 **"§ 14-69.2. Perpetrating hoax by use of false bomb or other device.**

6       (a) If any person, with intent to perpetrate a hoax, ~~shall secrete, place or display~~  
7 ~~secretes, places, or displays~~ any device, machine, ~~instrument-instrument,~~ or artifact, so as  
8 to cause any person reasonably to believe the ~~same-item~~ to be a bomb or other device  
9 capable of causing injury to persons or property, ~~he-the person~~ shall be guilty of a Class  
10 1 ~~misdemeanor-misdemeanor.~~ If the sentence is suspended upon conditions of  
11 probation, a minimum of 100 hours of community service must be a condition of  
12 probation. Upon a second or subsequent conviction under this section, the person shall  
13 be guilty of a Class I felony.

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

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

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