

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1011\*  
Judiciary I Committee Substitute Adopted 4/27/99  
House Committee Substitute Favorable 6/14/99

Short Title: Bullet-Proof Vest/Commit Felony.

(Public)

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Sponsors:

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Referred to:

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April 15, 1999

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE  
2 IMPOSED ON A PERSON WHO HAS IN HIS OR HER IMMEDIATE  
3 POSSESSION OR IS WEARING A BULLET-PROOF VEST WHILE  
4 COMMITTING A FELONY.  
5

6 The General Assembly of North Carolina enacts:

7 Section 1. Part 2 of Article 81B of Chapter 15A of the General Statutes is  
8 amended by adding a new section to read:

9 "**§ 15A-1340.16C. Enhanced sentence if defendant is convicted of a felony and the**  
10 **defendant was wearing or had in his or her immediate possession a bullet-**  
11 **proof vest during the commission of the felony.**

12 (a) If a person is convicted of a felony and the court finds that the person was  
13 wearing or had in his or her immediate possession a bullet-proof vest at the time of the  
14 felony, then the person is guilty of a felony that is one class higher than the underlying  
15 felony for which the person was convicted.

16 (b) This section does not apply if the evidence that the person possessed a bullet-  
17 proof vest is needed to prove an element of the underlying felony for which the person  
18 was convicted. This section does not apply to law enforcement officers."

1           Section 2. This act becomes effective December 1, 1999, and applies to  
2 offenses committed on or after that date.