

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 867
Judiciary II Committee Substitute Adopted 4/30/03
House Committee Substitute Favorable 5/19/03
House Committee Substitute #2 Favorable 7/16/03
House Committee Substitute #3 Favorable 7/18/03

Short Title: Arson-Firefighter Injury/New Bomb Offense.

(Public)

Sponsors:

Referred to:

April 3, 2003

A BILL TO BE ENTITLED

AN ACT TO CREATE THE OFFENSE OF ARSON OR OTHER UNLAWFUL
BURNINGS THAT RESULT IN SERIOUS INJURY TO A FIREFIGHTER AND
TO INCREASE THE CRIMINAL PENALTY FOR DAMAGING A PUBLIC
BUILDING WITH AN EXPLOSIVE OR INCENDIARY DEVICE OR
MATERIAL AND TO ESTABLISH THE HONORARY LISTON B. RAMSEY
MOUNTED HORSE/CAISSON PATROL UNIT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 15 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-69.3. Arson or other unlawful burning that results in serious injury to a firefighter.

A person is guilty of a Class E felony if the person commits an offense under Article 15 of Chapter 14 of the General Statutes and a firefighter suffers serious bodily injury while discharging or attempting to discharge the firefighter's duties on the property, or proximate to the property, that is the subject of the firefighter's discharge or attempt to discharge his or her duties."

SECTION 2. G.S. 14-49 is amended by adding a new subsection to read:

"(b2) Any person who willfully and maliciously damages, aids, counsels, or procures the damaging of the State Capitol, the Legislative Building, the Justice Building, or any building owned or occupied by the State or any of its agencies, institutions, or subdivisions or by any county, incorporated city or town, or other governmental entity by the use of any explosive or incendiary device or material is guilty of a Class E felony."

SECTION 3. There is established in the Department of Crime Control and Public Safety, State Highway Patrol Division, the Honorary Liston B. Ramsey Mounted

1 Horse/Caisson Patrol Unit as part of the State Highway Patrol. The Unit shall fall under
2 the command of the Special Operations Section of the State Highway Patrol to function
3 as a horse-drawn caisson procession at the funeral services of certain law enforcement
4 personnel and other fallen heroes and heroines.

5 The Unit shall consist of a caisson wagon, two horses to pull the wagon, and
6 a horse to follow the wagon. The Unit offices, stables, equipment storage, and training
7 facilities shall be located at Bearwallow Ridge Farms, 434 School Road, in Marshall,
8 North Carolina. All operations dealing with the Honorary Liston B. Ramsey Mounted
9 Horse/Caisson Patrol Unit shall be conducted from that location.

10 The Department, on behalf of the State Highway Patrol, may accept grants,
11 contributions, devises, bequests, and gifts which shall be kept in a separate fund and
12 shall be used by it to fund the operations of the Unit. Upon the receipt of sufficient
13 funding to operate the Unit, the State Highway Patrol shall place two primary troopers
14 on assignment to the Honorary Liston B. Ramsey Mounted Horse/Caisson Patrol Unit.
15 The State Highway Patrol shall not operate the Unit until it has acquired all the
16 resources, equipment, supplies, and funds needed to implement this act.

17 The Department of Crime Control and Public Safety may adopt rules,
18 including temporary rules, to govern the use and priority of assignment of the Honorary
19 Liston B. Ramsey Mounted Horse/Caisson Patrol Unit.

20 **SECTION 4.** Sections 1 and 2 of this act become effective December 1,
21 2003, and apply to offenses committed on or after that date. The remainder of this act is
22 effective when it becomes law.