

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH30437-LH-234F (4/10)

Short Title: Battery on a Police Officer/Felony. (Public)

Sponsors: Representatives Carney, Saunders, Neumann, and Earle (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE THE FELONY OFFENSE OF BATTERY ON A LAW ENFORCEMENT, PROBATION, OR PAROLE OFFICER OR A PERSON EMPLOYED BY A STATE OR LOCAL DETENTION FACILITY.

The General Assembly of North Carolina enacts:

SECTION 1. Article 8 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-33.3. Battery on a law enforcement officer, probation or parole officer, or on a person employed at a State or local detention facility.

Unless the conduct is covered under some other provision of law providing greater punishment, it is a Class H felony for anyone to commit a battery on a person described by this section while the person is discharging or attempting to discharge his or her official duties:

(1) A law enforcement officer.

(2) A probation or parole officer.

(3) A person who is employed at a detention facility operated under the jurisdiction of the State or a local government."

SECTION 2. This act becomes effective December 1, 2007, and applies to offenses committed on or after that date.