

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

H

2

HOUSE BILL 283  
Committee Substitute Favorable 5/13/91

Short Title: Assault/Health Official.

(Public)

Sponsors:

Referred to:

March 21, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE IT A MISDEMEANOR TO ASSAULT AN ENVIRONMENTAL  
3 HEALTH OFFICIAL AND A FELONY TO ASSAULT AN ENVIRONMENTAL  
4 HEALTH OFFICIAL WITH A DEADLY WEAPON.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 14-33(b) reads as rewritten:

7 "(b) Unless his conduct is covered under some other provision of law providing  
8 greater punishment, any person who commits any assault, assault and battery, or affray  
9 is guilty of a misdemeanor punishable by a fine, imprisonment for not more than two  
10 years, or both such fine and imprisonment if, in the course of the assault, assault and  
11 battery, or affray, he:

- 12 (1) Inflicts, or attempts to inflict, serious injury upon another person or
- 13 uses a deadly weapon; or
- 14 (2) Assaults a female, he being a male person at least 18 years of age; or
- 15 (3) Assaults a child under the age of 12 years; or
- 16 (4) Assaults a law-enforcement officer, a custodial officer of the State
- 17 Department of Correction, personnel of a detention facility or
- 18 personnel of a training school, while the officer or personnel is
- 19 discharging or attempting to discharge a duty of his office; or
- 20 (5) Assaults an officer of the North Carolina General Court of Justice
- 21 while engaged in official judicial duties or on account of the
- 22 performance of official judicial duties; or

- 1 (6) Assaults a school administrator, school teacher, substitute school  
2 teacher, or school teacher aide when any of these persons is  
3 discharging or attempting to discharge his official duties; or  
4 (7) Assaults one of the following officers or employees of a county  
5 department of social services when that officer or employee is  
6 discharging or attempting to discharge a duty of his office or  
7 employment: the director, an administrator or other person in a  
8 supervisory position, a social worker, an eligibility specialist, or a  
9 ~~receptionist~~-receptionist; or  
10 (8) Assaults an environmental health specialist or other environmental  
11 health official discharging or attempting to discharge his official  
12 duties."

13 Sec. 2. G.S. 14-34.2 reads as rewritten:

14 "**§ 14-34.2. Assault with a firearm or other deadly weapon upon law-enforcement**  
15 **officer, fireman, ~~or~~ emergency medical services ~~personnel~~-personnel, or**  
16 **environmental health official.**

17 Any person who commits an assault with a firearm or any other deadly weapon upon  
18 any:

- 19 (1) Law-enforcement officer;  
20 (2) Fireman; ~~or~~  
21 (3) Emergency medical services personnel certified to transport patients,  
22 including ambulance attendants, emergency medical technicians,  
23 emergency medical technician intermediates, and emergency medical  
24 technician paramedics, when responding to a call; or  
25 (4) Environmental health specialist or other environmental health official;  
26 in the performance of his duties shall be guilty of a Class I felony."

27 Sec. 3. This act becomes effective October 1, 1991, and applies to offenses  
28 occurring on or after that date.