

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 495
Committee Substitute Favorable 4/13/95
Committee Substitute #2 Favorable 5/8/95

Short Title: Injury to Law Enforcement Animal.

(Local)

Sponsors:

Referred to:

March 20, 1995

A BILL TO BE ENTITLED

AN ACT TO MAKE IT A FELONY IN ALAMANCE, CUMBERLAND, DAVIE,
DAVIDSON, GASTON, LINCOLN, AND WAKE COUNTIES TO INJURE OR
KILL A LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL,
TO CREATE A NEW OFFENSE FOR ASSAULT WITH A FIREARM UPON A
LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL, AND
TO CREATE A NEW OFFENSE FOR SIMPLE ASSAULT OR SIMPLE ASSAULT
AND BATTERY UPON A LAW ENFORCEMENT OR FIRE INVESTIGATION
AGENCY ANIMAL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-163.1 reads as rewritten:

"§ 14-163.1. Injuring or killing law-enforcement agency animal.

Any person who knows or has reason to know that an animal is used for law-enforcement purposes such as investigation, detection of narcotics or explosives, or crowd control, by any law-enforcement agency and who willfully and not in self defense, causes serious injury to or kills that animal is guilty of a Class ~~1-misdemeanor~~-I felony."

Sec. 2. Chapter 14 of the General Statutes is amended by adding a new section to read:

1 **"§ 14-163.2. Assault with a firearm upon law enforcement or fire investigation**
2 **agency animal.**

3 Any person who knows or has reason to know that an animal is used for law
4 enforcement or fire investigation purposes such as investigation, detection of narcotics or
5 explosives, or crowd control, by any law enforcement or fire investigation agency and
6 who willfully and not in self-defense, commits an assault with a firearm or other deadly
7 weapon upon that animal or poisons the animal is guilty of a Class 3 misdemeanor."

8 Sec. 3. Chapter 14 of the General Statutes is amended by adding a new section
9 to read:

10 **"§ 14-163.3. Simple assault or simple assault and battery upon law enforcement or**
11 **fire investigation agency animal.**

12 Any person who knows or has reason to know that an animal is used for law
13 enforcement or fire investigation purposes such as investigation, detection of narcotics or
14 explosives, or crowd control, by any law enforcement or fire investigation agency and
15 who willfully and not in self-defense, commits a simple assault or a simple assault and
16 battery upon that animal is guilty of a Class 1 misdemeanor."

17 Sec. 4. This act applies only to Alamance, Cumberland, Davie, Davidson,
18 Gaston, Lincoln, and Wake Counties.

19 Sec. 5. This act becomes effective December 1, 1995, and applies to offenses
20 committed on and after that date.