

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1011\*

Short Title: Bullet-Proof Vest/Commit Felony.

(Public)

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Sponsors: Senator Cooper.

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Referred to: Judiciary I.

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April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE  
IMPOSED ON A PERSON WHO POSSESSES A BULLET-PROOF VEST WHILE  
COMMITTING A FELONY.

The General Assembly of North Carolina enacts:

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

**"§ 15A-1340.16C. Enhanced sentence if defendant is convicted of a felony and the defendant possessed a bullet-proof vest during the commission of the felony.**

(a) If a person is convicted of a felony and the court finds that the person possessed a bullet-proof vest at the time of the felony, then the person is guilty of a felony that is one class higher than the underlying felony for which the person was convicted.

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

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