

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS55340-LH-158 (3/5)

Short Title: Amend Crim Offenses/Injury to Property. (Public)

Sponsors: Senator Atwater.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CRIMINAL OFFENSES OF INJURING REAL
PROPERTY AND INJURING PERSONAL PROPERTY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-127 reads as rewritten:

"§ 14-127. Willful and wanton injury to real property.

~~If any person shall willfully and wantonly damage, injure or destroy any real property whatsoever, either of a public or private nature, he shall be guilty of a Class 1 misdemeanor.~~

(a) Any person who willfully and wantonly damages, injures, or destroys any real property, either of a public or private nature, is guilty of a criminal offense punishable as follows:

(1) If the damage is one thousand dollars (\$1,000) or less, the offense is a Class 1 misdemeanor.

(2) If the damage exceeds one thousand dollars (\$1,000) but does not exceed one hundred thousand dollars (\$100,000), the offense is a Class H felony.

(3) If the damage exceeds one hundred thousand dollars (\$100,000), the offense is a Class D felony.

(b) This section applies to injuries to real property without regard to whether the property is destroyed or not."

SECTION 2. G.S. 14-160 reads as rewritten:

"§ 14-160. Willful and wanton injury to personal property; punishments.

~~(a) If any person shall wantonly and willfully injure the personal property of another he shall be guilty of a Class 2 misdemeanor. Any person who wantonly and willfully injures the personal property of another is guilty of a criminal offense punishable as follows:~~

- 1 (1) If the damage is two hundred dollars (\$200.00) or less, the offense is a
2 Class 2 misdemeanor.
- 3 (2) If the damage exceeds two hundred dollars (\$200.00) but does not
4 exceed one thousand dollars (\$1,000), the offense is a Class 1
5 misdemeanor.
- 6 (3) If the damage exceeds one thousand dollars (\$1,000) but does not
7 exceed one hundred thousand dollars (\$100,000), the offense is a Class
8 I felony.
- 9 (4) If the damage exceeds one hundred thousand dollars (\$100,000), the
10 offense is a Class D felony.

11 ~~(b) Notwithstanding the provisions of subsection (a), if any person shall~~
12 ~~wantonly and willfully injure the personal property of another, causing damage in an~~
13 ~~amount in excess of two hundred dollars (\$200.00), he shall be guilty of a Class 1~~
14 ~~misdemeanor.~~

15 (c) This section applies to injuries to personal property without regard to whether
16 the property is destroyed or not."

17 **SECTION 3.** This act becomes effective December 1, 2007, and applies to
18 offenses committed on or after that date. Prosecutions for offenses committed before
19 the effective date of this act are not abated or affected by this act, and the statutes that
20 would be applicable but for this act remain applicable to those prosecutions.