

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1430
Judiciary II (Criminal) Committee Substitute Adopted 5/17/07

Short Title: Amend Crim Offenses/Injury to Property.

(Public)

Sponsors:

Referred to:

March 26, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CRIMINAL OFFENSES OF INJURING REAL
3 PROPERTY AND INJURING PERSONAL PROPERTY.

4 The General Assembly of North Carolina enacts:

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

6 "§ 14-127. Willful and wanton injury to real property.

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

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

13 (1) If the damage is twenty-five thousand dollars (\$25,000) or less, the
14 offense is a Class 1 misdemeanor.

15 (2) If the damage exceeds twenty-five thousand dollars (\$25,000) but does
16 not exceed one hundred thousand dollars (\$100,000), the offense is a
17 Class I felony.

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

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

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

23 "§ 14-160. Willful and wanton injury to personal property; punishments.

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

28 (1) If the damage is two hundred dollars (\$200.00) or less, the offense is a
29 Class 2 misdemeanor.

- 1 (2) If the damage exceeds two hundred dollars (\$200.00) but does not
2 exceed twenty-five thousand dollars (\$25,000), the offense is a Class 1
3 misdemeanor.
- 4 (3) If the damage exceeds twenty-five thousand dollars (\$25,000) but does
5 not exceed one hundred thousand dollars (\$100,000), the offense is a
6 Class I felony.
- 7 (4) If the damage exceeds one hundred thousand dollars (\$100,000), the
8 offense is a Class H felony.
- 9 ~~(b) Notwithstanding the provisions of subsection (a), if any person shall~~
10 ~~wantonly and willfully injure the personal property of another, causing damage in an~~
11 ~~amount in excess of two hundred dollars (\$200.00), he shall be guilty of a Class 1~~
12 ~~misdemeanor.~~
- 13 (c) This section applies to injuries to personal property without regard to whether
14 the property is destroyed or not."
- 15 **SECTION 3.** This act becomes effective December 1, 2007, and applies to
16 offenses committed on or after that date. Prosecutions for offenses committed before
17 the effective date of this act are not abated or affected by this act, and the statutes that
18 would be applicable but for this act remain applicable to those prosecutions.