

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 134

Short Title: Assault State or Local Officer or Employee. (Public)

Sponsors: Representatives Tucker; K. Alexander, Allred, E. Floyd, Guice, Hurley, Lucas, Moore, Setzer, Tarleton, Wainwright, R. Warren, and Wray.

Referred to: Judiciary III, if favorable, Appropriations.

February 12, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO RAISE THE CRIMINAL OFFENSE OF SIMPLE ASSAULT ON AN OFFICER
3 OR EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE
4 FROM A CLASS A1 MISDEMEANOR TO A CLASS I FELONY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 14-33(c)(4) is repealed.

7 **SECTION 2.** Article 8 of Chapter 14 of the General Statutes is amended by adding
8 a new section to read:

9 "**§ 14-33.3. Simple assault on an officer or employee of the State or any political**
10 **subdivision of the State.**

11 Unless the conduct is covered under some other provision of law providing greater
12 punishment, any person who assaults an officer or employee of the State or any political
13 subdivision of the State, when the officer or employee is discharging or attempting to discharge
14 his or her official duties is guilty of a Class I felony."

15 **SECTION 3.** This act becomes effective December 1, 2009, and applies to
16 offenses committed on or after that date. Prosecutions for offenses committed before the
17 effective date of this act are not abated or affected by this act, and the statutes that would be
18 applicable but for this act remain applicable to those prosecutions.

