

§ 14-34.8. Criminal use of laser device.

- (a) The following definitions apply in this section:
- (1) Laser. – Light amplification by stimulated emission of radiation.
 - (2) Law enforcement agency animal. – As defined in G.S. 14-163.1.
 - (3) Search and rescue animal. – As defined in G.S. 14-163.1.
- (b) It is unlawful to intentionally point a laser device while the device is emitting a laser beam at:
- (1) Any of the following while the person is in the performance of his or her duties:
 - a. A law enforcement officer.
 - b. A probation or parole officer.
 - c. A person whose employment duties include the custody, transportation, or management of persons who are detained or confined to a detention facility, youth development center, or correctional institution operated under the jurisdiction of the State or a local government.
 - d. A firefighter.
 - e. An emergency medical technician or other emergency health care provider.
 - f. A member of the North Carolina National Guard.
 - g. A member of any branch of the Armed Forces of the United States.
 - h. Court counselors whose employment duties include intake, probation, post-release supervision, and court supervision services of juveniles.
 - (2) The head or face of any person not covered under subdivision (1) of this subsection.
 - (3) A law enforcement agency animal or a search and rescue animal while the animal is in the performance of its duty.
- (c) A violation of subdivision (1) of subsection (b) of this section is a Class I felony. A violation of subdivision (3) of subsection (b) of this section is a Class A1 misdemeanor if the law enforcement agency animal or the search and rescue animal is caused "harm" as that term is defined by G.S. 14-163.1. Any other violation of subsection (b) of this section is an infraction.
- (d) This section does not apply to a law enforcement officer who uses a laser device in discharging or attempting to discharge the officer's official duties. This section does not apply to a health care professional who uses a laser device in providing services within the scope of practice of that professional nor to any other person who is licensed or authorized by law to use a laser device or uses it in the performance of the person's official duties.
- (e) This section does not apply to laser tag, paintball guns, and other similar games and devices using light emitting diode (LED) technology. (1999-401, s. 1; 2023-76, s. 3.)