

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 543
HOUSE BILL 475

1 AN ACT TO CLARIFY THE LAWS RELATING TO BURGLARY AND RELATED
2 OFFENSES.

3
4 The General Assembly of North Carolina do enact:

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6 **Section 1.** G.S. 14-51 is amended by adding the following sentence at the end of
7 the section: "For the purposes of defining the crime of burglary, larceny shall be deemed a
8 felony without regard to the value of the property in question."

9 **Sec. 2.** G.S. 14-53 is rewritten to read as follows: "G.S. 14-53. Breaking out of
10 dwelling house burglary. If any person shall enter the dwelling house of another with intent to
11 commit any felony or larceny therein, or being in such dwelling house, shall commit any felony
12 or larceny therein, and shall, in either case, break out of such dwelling house in the nighttime,
13 such person shall be guilty of burglary."

14 **Sec. 3.** G.S. 14-54 is rewritten to read as follows: "G.S. 14-54. Breaking or
15 entering buildings generally. (a) Any person who breaks or enters any building with intent to
16 commit any felony or larceny therein is guilty of a felony and is punishable under G.S. 14-2.

17 (b) Any person who wrongfully breaks or enters any building is guilty of a
18 misdemeanor and is punishable under G.S. 14-3(a).

19 (c) As used in this Section, 'building' shall be construed to include any dwelling,
20 dwelling house, uninhabited house, building under construction, building within the curtilage of
21 a dwelling house, and any other structure designed to house or secure within it any activity or
22 property."

23 **Sec. 4.** G.S. 14-55 is rewritten to read as follows: "G.S. 14-55. Preparation to
24 commit burglary or other housebreakings. If any person shall be found armed with any
25 dangerous or offensive weapon, with the intent to break or enter a dwelling, or other building
26 whatsoever, and to commit any felony or larceny therein; or shall be found having in his
27 possession, without lawful excuse, any pick-lock, key, bit, or other implement of
28 housebreaking; or shall be found in any such building, with intent to commit any felony or
29 larceny therein, such person shall be guilty of a felony and punished by fine or imprisonment in
30 the State's prison, or both, in the discretion of the court."

31 **Sec. 5.** G.S. 14-56 is rewritten to read as follows:

32 **"G.S. 14-56. Breaking or entering into railroad cars, motor vehicles, or trailers; breaking
33 out.** If any person shall, with intent to commit any felony or larceny therein, break or enter any
34 railroad car, motor vehicle, or trailer containing any goods, wares, freight, or other thing of
35 value, or shall, after having committed any felony or larceny therein, break out of any railroad
36 car, motor vehicle, or trailer containing any goods, wares, freight, or other thing of value, such
37 person shall upon conviction be punished by confinement in the penitentiary in the discretion of
38 the court for a term of years not exceeding five years. If any person is found unlawfully in such
39 car, motor vehicle, or trailer, being so found shall be *prima facie* evidence that he entered in
40 violation of this Section."

41 **Sec. 6.** G.S. 14-57 is rewritten to read as follows: "G.S. 14-57. Burglary with
42 explosives. Any person who, with intent to commit any felony or larceny therein, breaks and
43 enters, either by day or by night, any building, whether inhabited or not, and opens or attempts

1 to open any vault, safe, or other secure place by use of nitroglycerine, dynamite, gunpowder, or
2 any other explosive, or acetylene torch, shall be deemed guilty of burglary with explosives.
3 Any person convicted under this Section shall be punished as for burglary in the second degree,
4 as provided in G.S. 14-52."

5 **Sec. 7.** All laws and clauses of laws in conflict with this Act are hereby repealed.

6 **Sec. 8.** This Act shall be in full force and effect from and after its ratification.

7 In the General Assembly read three times and ratified, this the 23rd day of May,
8 1969.