

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-329
SENATE BILL 428**

**AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNAUTHORIZED USE OF
A LASER DEVICE TOWARDS AN AIRCRAFT.**

The General Assembly of North Carolina enacts:

SECTION 1. Article 36 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-280.2. Use of a laser device towards an aircraft.

(a) Any person who, willfully points a laser device at an aircraft, while the device is emitting a laser beam, and while the aircraft is taking off, landing, in flight, or otherwise in motion, is guilty of a Class H felony.

(b) The following definitions apply to this section:

(1) "Aircraft" is as defined in G.S. 63-1.

(2) "Laser" is as defined in G.S. 14-34.8.

(c) This section shall not apply where the laser use had been approved by a State or federal agency."

SECTION 2. This act becomes effective December 1, 2005, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 16th day of August, 2005.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:21 a.m. this 26th day of August, 2005