

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 223

Short Title: Amend Armed Robbery.

(Public)

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Sponsors: Representatives Balmer; and Lemmond.

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Referred to: Judiciary III.

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February 15, 1994

A BILL TO BE ENTITLED

AN ACT TO REVISE THE ESSENTIAL ELEMENTS REQUIRED TO PROVE  
ARMED ROBBERY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-87 reads as rewritten:

"§ 14-87. **Robbery with firearms or apparent firearms or other dangerous  
weapons.**

(a) Any person or persons who, having in possession or with the use or  
threatened use of any firearms or any apparent firearms or other dangerous weapon,  
implement or means, whereby ~~the life of a person is endangered or threatened,~~ a reasonable  
person under the circumstances would believe that his life was endangered or  
threatened, unlawfully takes or attempts to take personal property from another or from  
any place of business, residence or banking institution or any other place where there is  
a person or persons in attendance, at any time, either day or night, or who aids or abets  
any such person or persons in the commission of such crime, shall be guilty of a Class D  
felony. For purposes of this section, the phrase 'apparent firearms' shall include any  
article that a reasonable person would believe to be a firearm.

(b), (c) Repealed by Session Laws 1979, c. 760, s. 5.

(d) Notwithstanding any other provision of law, with the exception of persons  
sentenced as committed youthful offenders, a person convicted of robbery with firearms  
or any apparent firearms or other dangerous weapons shall serve a term of not less than  
seven years in prison, excluding gain time granted under G.S. 148-13. A person  
convicted of robbery with firearms or apparent firearms or other dangerous weapons  
shall receive a sentence of at least 14 years in the State's prison and shall be entitled to

1 credit for good behavior under G.S. 15A-1340.7. The sentencing judge may not suspend  
2 the sentence and may not place the person sentenced on probation. Sentences imposed  
3 pursuant to this section shall run consecutively with and shall commence at the  
4 expiration of any sentence being served by the person sentenced hereunder."

5           Sec. 2. This act becomes effective October 1, 1994, and applies to offenses  
6 occurring on or after that date.