

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

D

HOUSE DRH80275-LH-54 (1/30)

Short Title: Shoot at Law Officer/10 Year Active Minimum. (Public)

Sponsors: Representative Rapp.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE IT A CLASS D FELONY TO DISCHARGE A FIREARM AT A LAW
3 ENFORCEMENT OFFICER PUNISHABLE BY A MINIMUM ACTIVE SENTENCE OF
4 TEN YEARS.
5 The General Assembly of North Carolina enacts:
6 **SECTION 1.** Article 8 of Chapter 14 of the General Statutes is amended by adding
7 a new section to read:
8 **"§ 14-34.10. Discharging a firearm at a law enforcement officer.**
9 Unless covered under some other provision of law providing greater punishment, any
10 person who willfully or wantonly discharges or attempts to discharge a firearm at a law
11 enforcement officer while the officer is in the performance of his or her duties is guilty of a
12 Class D felony. Notwithstanding G.S. 15A-1340.17, a person convicted of an offense under this
13 section shall be sentenced to a minimum term of 120 months in the State's prison. A person
14 being sentenced under this subsection shall not receive a suspended sentence or be placed on
15 probation."
16 **SECTION 2.** This act becomes effective December 1, 2009, and applies to
17 offenses committed on or after that date.

