

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 325
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40187-LH-58 (02/12)

Short Title: Amend Arson Law/Prosecutor Funds.

(Public)

Sponsors: Representatives McNeill and Hurley (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO STRENGTHEN THE CRIMINAL LAWS REGARDING ARSON AND TO
APPROPRIATE FUNDS TO THE CONFERENCE OF DISTRICT ATTORNEYS TO
ESTABLISH AND SUPPORT A POSITION FOR A RESOURCE PROSECUTOR.

The General Assembly of North Carolina enacts:

SECTION 1. Article 15 of Chapter 14 of the General Statutes is amended by adding a
new section to read:

"§ 14-67.2. Burning caused during commission of another felony.

If any person shall, during the commission of a felony, by means of fire or explosive,
knowingly damage or knowingly cause, aid, abet, advise, encourage, hire, counsel, or procure
another to damage any dwelling, structure, building, or conveyance referenced in this Article, the
person shall be punished as a Class D felon."

SECTION 2. G.S. 14-69.3 reads as rewritten:

**"§ 14-69.3. Arson or other unlawful burning that results in serious injury to a firefighter or
firefighter, law enforcement officer, fire investigator, or emergency medical
technician.**

(a) The following definitions apply in this section:

(1) Emergency medical technician. – The term includes an emergency medical
technician, an emergency medical technician-intermediate, and an emergency
medical technician-paramedic, as those terms are defined in G.S. 131E-155.

(2) Fire investigator. – The term includes any person who, individually or as part of
an investigative team, has the responsibility and authority to determine the
origin, cause, or development of a fire or explosion.

(b) A person is guilty of a Class E felony if the person commits a felony under Article 15
of Chapter 14 of the General Statutes and a ~~firefighter~~ firefighter, law enforcement officer, fire
investigator, or emergency medical technician suffers serious bodily injury while discharging or
attempting to discharge the ~~firefighter's or emergency medical technician's~~ firefighter's, law
enforcement officer's, fire investigator's, or emergency medical technician's official duties on the
property, or proximate to the property, that is the subject of the ~~firefighter's~~ firefighter's, law
enforcement officer's, fire investigator's, or emergency medical technician's discharge or attempt
to discharge his or her respective duties. ~~As used in this section, the term "emergency medical
technician" includes an emergency medical technician, an emergency medical
technician-intermediate, and an emergency medical technician-paramedic, as those terms are
defined in G.S. 131E-155."~~

SECTION 3. There is appropriated from the General Fund to the Conference of
District Attorneys the sum of one hundred fifteen thousand six hundred three dollars (\$115,603) in
recurring funds and the sum of three thousand eight hundred sixty-five dollars (\$3,865) in



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1 nonrecurring funds for the 2017-2018 fiscal year to establish and support a position for a resource
2 prosecutor. The resource prosecutor will serve as a resource for prosecutors, law enforcement,
3 firefighters, fire marshals, arson investigators, medical professionals, and other allied professionals
4 in the State on arson and homicide cases and also develop and provide training programs for
5 prosecutors, law enforcement officers, and other allied professionals that will improve the ability
6 to effectively prosecute arson and homicide cases.

7 **SECTION 4.** Sections 3 and 4 of this act become effective July 1, 2017. The
8 remainder of this act becomes effective December 1, 2017, and applies to offenses committed on
9 or after that date.