

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H

1

HOUSE BILL 707

Short Title: Assaults on First Responders & Social Workers. (Public)

Sponsors: Representatives Pyrtle, Miller, Carson Smith, and Greene (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

April 19, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE PUNISHMENT FOR COMMITTING AN ASSAULT WITH A
3 FIREARM AGAINST CERTAIN EMERGENCY, MEDICAL, AND LAW
4 ENFORCEMENT PERSONNEL; TO INCREASE THE PUNISHMENT FOR
5 COMMITTING AN ASSAULT AGAINST AN EXECUTIVE OFFICER, A
6 LEGISLATIVE OFFICER, OR A COURT OFFICER AND INFLECTING SERIOUS
7 BODILY INJURY; AND TO INCREASE THE PUNISHMENT FOR COMMITTING AN
8 ASSAULT OR MAKING A THREAT AGAINST AN INDIVIDUAL EMPLOYED BY OR
9 ACTING ON BEHALF OF A COUNTY DEPARTMENT OF SOCIAL SERVICES.

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** G.S. 14-34.5 reads as rewritten:

12 "**§ 14-34.5. Assault with a firearm on a law enforcement, probation, or parole officer, or**
13 **on a member of the North Carolina National Guard, or on a person employed at**
14 **a State or local detention facility.**

15 (a) Any person who commits an assault with a firearm upon a ~~law enforcement officer,~~
16 ~~probation officer, or parole officer while the officer is in the performance of his or her duties is~~
17 ~~guilty of a Class D felony.~~

18 (a1) ~~Any person who commits an assault with a firearm upon a member of the North~~
19 ~~Carolina National Guard while the member is in the performance of his or her duties is guilty of~~
20 ~~a Class E felony.~~

21 (b) ~~Anyone who commits an assault with a firearm upon a person who is employed at a~~
22 ~~detention facility operated under the jurisdiction of the State or a local government while the~~
23 ~~employee is in the performance of the employee's duties is guilty of a Class D felony.~~ any of the
24 following persons who are in the performance of their duties is guilty of a Class B1 felony:

25 (1) A law enforcement officer.

26 (2) A probation officer.

27 (3) A parole officer.

28 (4) A member of the North Carolina National Guard.

29 (5) An employee of a detention facility operated under the jurisdiction of the State
30 or a local government.

31 (6) An emergency medical technician or other emergency health care provider.

32 (7) A medical responder.

33 (8) A firefighter."

34 **SECTION 2.** G.S. 14-34.6 reads as rewritten:



* H 7 0 7 - V - 1 *

1 "§ 14-34.6. Assault or affray on a firefighter, an emergency medical technician, medical
2 responder, and hospital personnel.

3 (a) A person is guilty of a Class I felony if the person commits an assault or affray causing
4 physical injury on any of the following persons who are discharging or attempting to discharge
5 their official duties:

6 (1) An emergency medical technician or other emergency health care provider.

7 (2) A medical responder.

8 (3) Hospital personnel and licensed healthcare providers who are providing or
9 attempting to provide health care services to a patient.

10 (4) Repealed by Session Laws 2011-356, s. 2, effective December 1, 2011, and
11 applicable to offenses committed on or after that date.

12 (5) A firefighter.

13 (6) Hospital security personnel.

14 (b) Unless a person's conduct is covered under some other provision of law providing
15 greater punishment, a person is guilty of a Class G felony if the person violates subsection (a) of
16 this section and (i) inflicts serious bodily injury or (ii) uses a deadly weapon other than a firearm.

17 (c) Unless a person's conduct is covered under some other provision of law providing
18 greater punishment, a person is guilty of a Class E felony if the person violates subsection (a) of
19 this section against a person not otherwise covered under G.S. 14-34.5 and uses a firearm."

20 **SECTION 3.** G.S. 14-16.6(c) reads as rewritten:

21 "(c) Any person who commits an offense under subsection (a) and inflicts serious bodily
22 injury to any legislative officer, executive officer, or court officer, shall be punished as a Class ~~F~~
23 E felon."

24 **SECTION 4.** G.S. 14-16.10(1) reads as rewritten:

25 "(1) Court officer. – Magistrate, clerk of superior court, acting clerk, assistant or
26 deputy clerk, judge, or justice of the General Court of Justice; district attorney,
27 assistant district attorney, or any other attorney designated by the district
28 attorney to act for the State or on behalf of the district attorney; public
29 defender or assistant defender; court reporter; juvenile court counselor as
30 defined in G.S. 7B-1501(18a); any attorney or other individual employed by
31 or acting on behalf of ~~the~~ a county department of social ~~services~~ in
32 proceedings pursuant to Subchapter I of Chapter 7B of the General Statutes;
33 services, as defined in G.S. 108A-24; any attorney or other individual
34 appointed pursuant to G.S. 7B-601 or G.S. 7B-1108 or employed by the
35 Guardian ad Litem Services Division of the Administrative Office of the
36 Courts."

37 **SECTION 5.** This act becomes effective December 1, 2023, and applies to offenses
38 committed on or after that date.