



# HOUSE BILL 761: Police Vehicle and Equipment Protection Act.

2021-2022 General Assembly

|                       |  |                     |                |
|-----------------------|--|---------------------|----------------|
| <b>Committee:</b>     | House Rules, Calendar, and Operations of the House | <b>Date:</b>        | May 6, 2021    |
| <b>Introduced by:</b> | Reps. Blackwell, Faircloth, Boles, McNeill         | <b>Prepared by:</b> | Jeremy Ray     |
| <b>Analysis of:</b>   | First Edition                                      |                     | Staff Attorney |

**OVERVIEW:** *House Bill 761 would increase criminal penalties for persons guilty of breaking or entering into a law enforcement vehicle, or who commit larceny of law enforcement equipment.*

**CURRENT LAW:** Under G.S. 14-56, any person with the intent to commit a felony or larceny who breaks or enters into a railroad car, motor vehicle, trailer, aircraft, boat, or other watercraft of any kind containing any goods of value is guilty of a Class I felony.

Under G.S. 14-72, larceny of goods with a value of not more than one thousand (\$1,000) dollars is punishable as a Class 1 misdemeanor. Larceny of goods valued at more than one thousand (\$1,000) dollars is punishable as a Class H felony.

**BILL ANALYSIS:** House Bill 761 would increase the penalty for persons who are guilty of breaking or entering into a railroad car, motor vehicle, trailer, aircraft, boat, or other watercraft of any kind, from a Class I felony to a Class H felony when the following conditions are met:

- A person with the intent to commit a felony or larceny breaks or enters into a vehicle containing any goods of value.
- The vehicle is owned or operated by any law enforcement agency, the North Carolina National Guard, or any branch of the Armed Forces.
- The person knows or reasonably should know that the vehicle is owned or operated by one of those law enforcement entities.

House Bill 761 would also create a Class H penalty for persons guilty of committing larceny of law enforcement equipment from a law enforcement vehicle when that person knows, or reasonably should know, that the vehicle was a law enforcement vehicle, and the property was law enforcement equipment.

Law enforcement equipment would include any equipment owned or operated by a law enforcement agency and used by law enforcement agencies to conduct law enforcement operations.

If the law enforcement equipment is valued in excess of more than one thousand dollars (\$1,000) that person would be guilty of a Class G felony.

**EFFECTIVE DATE:** This act would become effective December 1, 2021, and apply to offenses committed on or after that date.

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Legislative Analysis  
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