

April 3, 2003

S 761. ENHANCE FIREARMS PENALTIES. *TO EXTEND TO ALL FELONIES THE ADDITIONAL PUNISHMENT FOR THE POSSESSION, DISPLAY, OR DISCHARGE OF A FIREARM DURING THE COMMISSION OF A FELONY AND TO INCREASE THE LENGTH OF ADDITIONAL PUNISHMENT.* Amends GS 14-2.2 as title indicates (section currently applies only to Class A through E felonies). Imposes additional sentence of 60 months if person possesses firearm during commission of felony, additional 84 months if person displays firearm during commission of felony, and additional 120 months if person discharges firearm during commission of felony (section currently imposes additional sentence of 60 months for use or display, or threatened use or display of firearm, during commission of certain felonies). Indictment or information for felony must allege possession, display, or discharge of firearm. State must prove possession, display, or discharge of firearm to jury beyond a reasonable doubt. Repeals GS 14-2.2(b) and GS 15A-1340.16A. Effective Dec. 1, 2003; applies to offenses committed on or after effective date. Act does not affect prosecutions for offenses committed before effective date.

Intro. by Gulley.

Ref. to	GS 14, 15A
---------	------------