

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 52
Committee Substitute Favorable 2/25/25
PROPOSED COMMITTEE SUBSTITUTE H52-PCS40181-SA-2

Short Title: Protect Those Who Serve & Protect Act of 2025.

(Public)

Sponsors:

Referred to:

February 5, 2025

A BILL TO BE ENTITLED
AN ACT ENACTING THE PROTECT THOSE WHO SERVE AND PROTECT ACT OF 2025.
The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the "Protect Those Who Serve and Protect Act of 2025."

SECTION 2. Article 8 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-34.7A. Assault on a public safety officer, law enforcement agency animal, or search and rescue animal by throwing, spraying, or otherwise projecting water or other substances.

(a) Definition. – The following definitions apply in this section:

(1) Law enforcement agency animal. – As defined in G.S. 14-163.1.

(2) Public safety officer. – Any of the following:

a. A law enforcement officer.

b. A probation or parole officer.

c. A person who is employed at (i) a detention facility, as defined in G.S. 143B-805, or (ii) any other detention facility operated under the jurisdiction of the State or a local government.

d. A telecommunicator employed by a law enforcement agency.

e. A firefighter or rescue squad worker.

f. An emergency medical services personnel, as defined in G.S. 131E-155.

g. A hospital employee, medical practice employee, licensed health care provider, individual under contract to provide services at a hospital or medical practice, hospital security personnel, or other emergency health care provider not otherwise covered under sub-subdivision e. of this subdivision.

h. A member of the North Carolina National Guard.

i. A member of any branch of the Armed Forces of the United States.

j. A juvenile court counselor or chief court counselor, as those terms are defined in G.S. 143B-805.

k. An emergency management worker, as defined in G.S. 166A-19.60(e).

(3) Search and rescue animal. – As defined in G.S. 14-163.1.



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(b) Offense and Punishment. – Unless covered under some other provision of law providing greater punishment, a person is guilty of a Class I felony if the person commits an assault or battery on either of the following by throwing, spraying, or otherwise projecting, or causing to be thrown, sprayed, or otherwise projected, water or any other substance at:

(1) A public safety officer (i) while the public safety officer is discharging or attempting to discharge his or her official duties or (ii) because of the victim's status as a public safety officer.

(2) A law enforcement agency animal or a search and rescue animal (i) while the animal is in the performance of its duty or (ii) because of the animal's status as a law enforcement agency animal or search and rescue animal."

SECTION 3. G.S. 14-34.8 reads as rewritten:

"§ 14-34.8. Criminal use of laser device.

(a) The following definitions apply in this section:

(1) Laser. – Light amplification by stimulated emission of radiation.

(2) Law enforcement agency animal. – As defined in G.S. 14-163.1.

(3) Public safety officer. – As defined in G.S. 14-34.7A.

(4) Search and rescue animal. – As defined in G.S. 14-163.1.

(b) It is unlawful to intentionally point a laser device while the device is emitting a laser beam at:

(1) ~~Any of the following~~ A public safety officer (i) while the person is in the performance of his or her duties; duties or (ii) because of the person's status as a public safety officer.

~~a. A law enforcement officer.~~

~~b. A probation or parole officer.~~

~~c. A person whose employment duties include the custody, transportation, or management of persons who are detained or confined to a detention facility, youth development center, or correctional institution operated under the jurisdiction of the State or a local government.~~

~~d. A firefighter.~~

~~e. An emergency medical technician or other emergency health care provider.~~

~~f. A member of the North Carolina National Guard.~~

~~g. A member of any branch of the Armed Forces of the United States.~~

~~h. Court counselors whose employment duties include intake, probation, post release supervision, and court supervision services of juveniles.~~

(2) The head or face of any person not covered under subdivision (1) of this subsection.

(3) A law enforcement agency animal or a search and rescue animal (i) while the animal is in the performance of its ~~duty~~ duty or (ii) because of the animal's status as a law enforcement agency animal or search and rescue animal.

...."

SECTION 4. G.S. 14-32 reads as rewritten:

"§ 14-32. Felonious assault with deadly weapon with intent to kill or inflicting serious injury; punishments.

...

(d) ~~Any~~ Unless covered under some other provision of law providing greater punishment, any person who assaults an emergency worker a public safety officer with a deadly weapon and inflicts serious injury shall be punished as a Class D felon.

(e) ~~Any~~ Unless covered under some other provision of law providing greater punishment, any person who assaults an emergency worker a public safety officer with a deadly weapon with intent to kill shall be punished as a Class D felon.

(f) ~~For the purposes of this section, an "emergency worker" is a law enforcement officer, firefighter, emergency medical technician, or medical responder. a "public safety officer" is as defined in G.S. 14-34.7A."~~

SECTION 5. G.S. 14-33(c)(4) reads as rewritten:

"(4) Assaults an officer or employee of the State or any political subdivision of the State, State (i) when the officer or employee is discharging or attempting to discharge his or her official duties; duties or (ii) because of the victim's status as an officer or employee of the State or any political subdivision of the State."

SECTION 6. G.S. 14-34.2 reads as rewritten:

"§ 14-34.2. Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers.

~~Unless a person's conduct is covered under some other provision of law providing greater punishment, any person who commits an assault with a deadly weapon upon an officer or employee of the State or of any political subdivision of the State, a company police officer certified pursuant to the provisions of Chapter 74E of the General Statutes, or a campus police officer certified pursuant to the provisions of Chapter 74G, Article 1 of Chapter 17C or Chapter 116 of the General Statutes, (i) in the performance of an official duty or (ii) because of the victim's status as an officer or employee of the State or of any political subdivision of the State, a company police officer, or a campus police officer, is guilty of a Class E felony."~~

SECTION 7. G.S. 14-34.5 reads as rewritten:

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

(a) ~~Any person who commits an assault with a firearm upon a law enforcement officer, probation officer, or parole public safety officer (i) while the officer is in the performance of his or her duties or (ii) because of the victim's status as a public safety officer is guilty of a Class D Class C felony.~~

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

(b) ~~Anyone who commits an assault with a firearm upon a person who is employed at a detention facility operated under the jurisdiction of the State or a local government while the employee is in the performance of the employee's duties is guilty of a Class D felony.~~

(c) For purposes of this section, the term "public safety officer" is as defined in G.S. 14-34.7A."

SECTION 8. G.S. 14-34.6 is repealed.

SECTION 9. G.S. 14-34.7 reads as rewritten:

"§ 14-34.7. ~~Certain assaults~~ Assault or affray on a law enforcement, probation, or parole officer, or on a member of the North Carolina National Guard, or on a person employed at a State or local detention facility; public safety officer; penalty.

(a) ~~Unless covered under some other provision of law providing greater punishment, a person is guilty of a Class E felony if the person assaults commits an assault or affray on a law enforcement officer, probation officer, or parole public safety officer (i) while the officer is discharging or attempting to discharge his or her official duties or (ii) because of the victim's status as a public safety officer, and inflicts serious bodily injury on the officer.~~

(a1) ~~Unless covered under some other provision of law providing greater punishment, a person is guilty of a Class E felony if the person assaults a member of the North Carolina National~~

Guard while he or she is discharging or attempting to discharge his or her official duties and inflicts serious bodily injury on the member.

(b) ~~Unless covered under some other provision of law providing greater punishment, a person is guilty of a Class E felony if the person assaults a person who is employed at a detention facility operated under the jurisdiction of the State or a local government while the employee is in the performance of the employee's duties and inflicts serious bodily injury on the employee.~~

(c) Unless covered under some other provision of law providing greater punishment, a person is guilty of a Class H felony if the person ~~does any of the following:~~

(1) ~~Assaults a law enforcement officer, probation officer, or parole officer while the officer is discharging or attempting to discharge his or her official duties and inflicts physical injury on the officer.~~

(2) ~~Assaults a person who is employed at a detention facility operated under the jurisdiction of the State or a local government while the employee is in the performance of the employee's duties and inflicts physical injury on the employee.~~

(3) ~~Assaults a member of the North Carolina National Guard while he or she is discharging or attempting to discharge his or her official duties and inflicts physical injury on the member.~~ violates subsection (a) of this section and inflicts physical injury on the officer.

(d) For the purposes of this ~~subsection,~~ section, the term "public safety officer" is as defined in G.S. 14-34.7A and the term "physical injury" includes cuts, scrapes, bruises, or other physical injury which does not constitute serious injury."

SECTION 10. G.S. 14-69.3 reads as rewritten:

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

(a) Definitions. – The following definitions apply in this section:

(1) ~~Emergency medical technician. – The term includes an emergency medical technician, an advanced emergency medical technician, 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.

(3) Public safety officer. – As defined in G.S. 14-34.7A.

(b) Offense Involving Serious Bodily Injury. – ~~A-Unless covered under some other provision of law providing greater punishment, a person is guilty of a Class E felony if (i) the person commits a felony under Article 15 of Chapter 14 of the General Statutes and a firefighter, law enforcement officer, public safety officer or fire investigator, or emergency medical technician-investigator suffers serious bodily injury while discharging or attempting to discharge official duties on the property, or proximate to the property, that is the subject of the firefighter's, law enforcement officer's, fire investigator's, or emergency medical technician's public safety officer's or fire investigator's discharge or attempt to discharge his or her respective duties.~~ or (ii) the person commits a felony under Article 15 of Chapter 14 of the General Statutes because of the victim's status as a public safety officer or fire investigator and the public safety officer or fire investigator suffers serious bodily injury.

(c) Offense Involving Serious Injury. – ~~A-Unless covered under some other provision of law providing greater punishment, a person is guilty of a Class F felony if (i) the person commits a felony under Article 15 of Chapter 14 of the General Statutes and a firefighter, law enforcement officer, public safety officer or fire investigator, or emergency medical technician-investigator suffers serious injury while discharging or attempting to discharge official duties on the property, or proximate to the property, that is the subject of the firefighter's, law enforcement officer's, fire~~

investigator's, or emergency medical technician's public safety officer's or fire investigator's discharge or attempt to discharge his or her respective ~~duties~~ duties or (ii) the person commits a felony under Article 15 of Chapter 14 of the General Statutes because of the victim's status as a public safety officer or fire investigator and the public safety officer or fire investigator suffers serious injury."

SECTION 11. G.S. 15A-266.3A(f)(4) reads as rewritten:

"(4) G.S. 14-28, Malicious castration; G.S. 14-29, Castration or other maiming without malice aforethought; G.S. 14-30, Malicious maiming; G.S. 14-30.1, Malicious throwing of corrosive acid or alkali; G.S. 14-31, Maliciously assaulting in a secret manner; G.S. 14-32, Felonious assault with deadly weapon with intent to kill or inflicting serious injury; G.S. 14-32.1(e), Aggravated assault or assault and battery on an individual with a disability; G.S. 14-32.2(a) when punishable pursuant to G.S. 14-32.2(b)(1), Patient abuse and neglect, intentional conduct proximately causes death; G.S. 14-32.3(a), Domestic abuse of disabled or elder adults resulting in injury; G.S. 14-32.4, Assault inflicting serious bodily injury or injury by strangulation; G.S. 14-33.2, Habitual misdemeanor assault; G.S. 14-34.1, Discharging certain barreled weapons or a firearm into occupied property; G.S. 14-34.2, Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers; G.S. 14-34.4, Adulterated or misbranded food, drugs, etc.; intent to cause serious injury or death; intent to extort; G.S. 14-34.5, Assault with a firearm on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility; G.S. 14-34.6, Assault or affray on a firefighter, an emergency medical technician, medical responder, emergency department nurse, or emergency department physician; public safety officer; G.S. 14-34.7, Assault inflicting serious injury on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility; or affray on a public safety officer; G.S. 14-34.9, Discharging a firearm from within an enclosure; and"

SECTION 12. G.S. 131E-88.3(a) reads as rewritten:

"(a) Annually by September 1, the Administrative Office of the Courts shall report to the Department of Health and Human Services, Division of Health Service Regulation, the number of persons charged and convicted during the preceding calendar year of a crime under ~~G.S. 14-34.6~~ G.S. 14-34.7 committed against a person listed in sub-subdivisions e. through g. of subdivision (2) of subsection (a) of G.S. 14-34.7A."

SECTION 13. This act becomes effective December 1, 2025, and applies to offenses committed on or after that date.