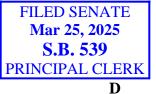
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2025



S

SENATE BILL DRS35208-ML-84

| | Short Title: N | C Utility Worker Protection Act. | (Public) | |
|----------|--------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--|
| | Sponsors: Se | enators Everitt and Salvador (Primary Sponsors). | | |
| | Referred to: | | | |
| | | | | |
| 1 | | A BILL TO BE ENTITLED | | |
| 2 | | INCREASE THE PUNISHMENT FOR COMMITTING AN AS | SSAULT | |
| 3 | | A UTILITY WORKER. | | |
| 4 | The General Assembly of North Carolina enacts: | | | |
| 5 | SECTION 1. This act shall be known as "The North Carolina Utility Worker | | | |
| 6 | Protection Act." | | | |
| 7 | | TION 2. G.S. 14-33 reads as rewritten: | wawatad. | |
| 8 9 | | isdemeanor assaults, batteries, and affrays, simple and agg shments. | ravaleu; | |
| 9 10 | - | siments. | | |
| 11 | (c) Unles | ss the conduct is covered under some other provision of law providin | o oreater | |
| 12 | | person who commits any assault, assault and battery, or affray is gu | | |
| 13 | | neanor if, in the course of the assault, assault and battery, or affray, he | - | |
| 14 | | | 01 51101 | |
| 15 | (9) | Assaults a transportation network company (TNC) driver prov | viding a | |
| 16 | | transportation network company (TNC) service. For the purpose | - | |
| 17 | | subdivision, the definitions for "TNC driver" and "TNC service" as d | | |
| 18 | | G.S. 20-280.1 shall apply. | | |
| 19 | <u>(10)</u> | Assaults a utility worker not otherwise covered under this subsection | on, when | |
| 20 | | the utility worker is discharging or attempting to discharge his or he | | |
| 21 | | For purposes of this subdivision, the term "utility worker" me | - | |
| 22 | | employee of, including any person employed by or under contract | | |
| 23 | | organization, entity, or company, whether State-created or p | | |
| 24 25 | | municipally, county, or cooperatively owned, that provides ga | | |
| 25 26 | | electricity, water, telecommunications services, sewer services, cable | or video | |
| 26 27 | | services, internet services, or railroad services. | | |
| 27 | (d) Any | person who in the course of an assault assault and battery or affrax | inflicte | |
| 28 29 | · / · | (d) Any person who, in the course of an assault, assault and battery, or affray, inflicts serious injury upon another person, or uses a deadly weapon, in violation of subdivision $(c)(1)$ | | |
| 2) 30 | ••• | of this section, on a person with whom the person has a personal relationship, and in the presence | | |
| 31 | | of a minor, is guilty of a Class A1 misdemeanor. A person convicted under this subsection, who | | |
| 32 | | is sentenced to a community punishment, shall be placed on supervised probation in addition to | | |
| 22 | ·1 · 1 | and the second hard her descent | | |

33 any other punishment imposed by the court.

A person committing a second or subsequent violation of this subsection shall be sentenced to an active punishment of no less than 30 days in addition to any other punishment imposed by the court.



| | General Assembly Of North CarolinaSession 2025 | | |
|----|-----------------------------------------------------------------------------------------------------------|--|--|
| 1 | The following definitions apply to this subsection: | | |
| 2 | (1) "Personal relationship" is as defined in G.S. 50B-1(b). | | |
| 3 | (2)(1) "In the presence of a minor" means In the presence of a minor. – Means that | | |
| 4 | the minor was in a position to see or hear the assault. | | |
| 5 | (3)(2) "Minor" is any Minor. – Any person under the age of 18 years who is residing | | |
| 6 | with or is under the care and supervision of, and who has a personal | | |
| 7 | relationship with, the person assaulted or the person committing the assault. | | |
| 8 | (3) <u>Personal relationship. – As defined in G.S. 50B-1.</u> " | | |
| 9 | SECTION 3. G.S. 14-34.2 reads as rewritten: | | |
| 10 | "§ 14-34.2. Assault with a firearm or other deadly weapon upon governmental officers or | | |
| 11 | employees, <u>utility workers, c</u> ompany police officers, or campus police officers. | | |
| 12 | Unless a person's conduct is covered under some other provision of law providing greater | | |
| 13 | punishment, any person who commits an assault with a deadly weapon upon an officer or | | |
| 14 | employee of the State or of any political subdivision of the State, <u>a utility worker as defined in</u> | | |
| 15 | G.S. 14-33, a company police officer certified pursuant to the provisions of Chapter 74E of the | | |
| 16 | General Statutes, or a campus police officer certified pursuant to the provisions of Chapter 74G, | | |
| 17 | Article 1 of Chapter 17C or Chapter 116 of the General Statutes, in the performance of an official | | |
| 18 | duty when the person is discharging or attempting to discharge his or her duties, is guilty of a | | |
| 19 | Class E felony." | | |
| 20 | SECTION 4. Prosecutions for offenses committed before the effective date of this | | |
| 21 | act are not abated or affected by this act, and the statutes that would be applicable but for this act | | |
| 22 | remain applicable to those prosecutions. | | |
| 23 | SECTION 5. This act becomes effective December 1, 2025, and applies to offenses | | |
| 24 | committed on or after that date. | | |