

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 707
PROPOSED COMMITTEE SUBSTITUTE H707-CSSA-24 [v.1]
05/02/2023 02:13:12 PM

Short Title: Assaults on First Responders & Social Workers.

(Public)

Sponsors:

Referred to:

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 (9) A telecommunicator employed by a law enforcement agency."

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



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

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

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

(2) A medical responder.

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

(4) Repealed by Session Laws 2011-356, s. 2, effective December 1, 2011, and applicable to offenses committed on or after that date.

(5) A firefighter.

(6) Hospital security personnel.

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

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

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

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

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

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

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