



HOUSE BILL 703: Felon W/Gun/B&E/Increased Penalties.

2017-2018 General Assembly

Committee:	House Judiciary II	Date:	April 25, 2017
Introduced by:	Reps. Brawley, Dollar, Henson	Prepared by:	Howard Marsilio Committee Counsel
Analysis of:	PCS to First Edition H703-CSBG-20		

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 703 would increase the penalty for unlawful possession of a firearm or weapon of mass destruction by a felon. It would also increase the penalty for various breaking and entering (B&E) offenses.*

The PCS amends Section 2 of the bill to incorporate the new offense of B&E into a building actually occupied to commit a felony or larceny therein into subsection (a), and modifies the felony classes for various B&E offenses.

CURRENT LAW: G.S. 14-415.1(a) currently prohibits convicted felons from purchasing, owning, possessing, or having control of a firearm or weapon of mass destruction. A violation of this section is a Class G felony.

There are currently multiple offenses related to breaking and entering into a building in G.S. 14-54.

- B&E into a building with intent to commit any felony or larceny therein is a Class H felony.
- B&E into a building with the intent to terrorize or injure an occupant is a Class H felony.
- B&E into a building wrongfully is a Class 1 misdemeanor.

BILL ANALYSIS:

Section 1 would increase the penalty for the possession of a firearm or weapon of mass destruction by a felon from a Class G felony to a Class C felony.

Section 2 would:

- Create the offense of breaking and entering into an occupied building with intent to commit a felony or larceny therein, which would be a Class F felony.
- Increase the penalty for a B&E with the intent to terrorize or injure an occupant within a building from a Class H felony to a Class F felony.

EFFECTIVE DATE: This act would become effective December 1, 2017, and would apply to offenses committed on or after that date.

Karen Cochrane-Brown
Director



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Legislative Analysis
Division
919-733-2578