



# HOUSE BILL 138: Damage Jail & Prison Fire Sprinkler/Penalty.

2019-2020 General Assembly

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<b>Committee:</b>		<b>Date:</b>	January 8, 2020
<b>Introduced by:</b>		<b>Prepared by:</b>	Susan Sitze
<b>Analysis of:</b>	S.L. 2019-134		Staff Attorney

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**OVERVIEW:** *S.L. 2019-134 increases the punishment for willfully interfering with, damaging, defacing, molesting, or injuring any part or portion of a fire-alarm, fire-detection, smoke-detection, or fire-extinguishing system in a prison or local confinement facility to a Class H felony.*

*This act became effective December 1, 2019, and applies to offenses committed on or after that date.*

**CURRENT LAW:** G.S. 14-286 creates a Class 2 misdemeanor for initiating a false fire alarm, damaging a portable fire extinguisher, or damaging a fire-alarm or fire-extinguishing system. The current statute applies to any alarm or system, no matter where located.

**BILL ANALYSIS:** This act increases the penalty to a Class H felony for anyone who damages, defaces, molests, or injures any part or portion of a fire-alarm, fire-detection, smoke-detection, or fire-extinguishing system in a prison or local confinement facility. All other violations of the statute remain a Class 2 misdemeanor.

A Class 2 misdemeanor is punishable by an absolute minimum of 1 day community punishment to an absolute maximum of 60 days active, depending on the defendant's prior record level, and a fine of up to \$1,000.

A Class H felony is punishable by an absolute minimum of 4 months community punishment to an absolute maximum of 39 months active, depending on the defendant's prior record level.

**EFFECTIVE DATE:** This act became effective December 1, 2019, and applies to offenses committed on or after that date.

Karen Cochrane-Brown  
Director



Legislative Analysis  
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