



HOUSE BILL 224: Assault w/ Firearm on LEO/Increase Punishment.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	March 11, 2019
Introduced by:	Reps. Moore, Hastings, C. Smith, Barnes	Prepared by:	Jeremy Ray*
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 224 would amend G.S. 14-34.5 to make it a Class D felony to commit an assault with a firearm on a law enforcement officer, probation officer, parole officer, and an employee of a detention facility.*

CURRENT LAW AND ANALYSIS: G.S. 14-34.5(a) provides that a person who commits an assault with a firearm on a law enforcement officer, probation officer, or parole officer while in the performance of an official duty, is guilty of a Class E felony (15 to 88 months incarceration).

G.S. 14-34.5(b) provides that a person who commits an assault with a firearm on a person who is employed at a detention facility while in the performance of an official duty, is guilty of a Class E felony (15 to 88 months incarceration).

House Bill 224 would amend G.S. 14-34.5(a) and G.S. 14-34.5(b) to make it a Class D felony (38-204 month incarceration) for violating these subsections. A Class D felony mandates an active term of imprisonment.

EFFECTIVE DATE: This act would become effective December 1, 2019 and apply to offenses committed on or after that date. A person who commits an offense under G.S. 14-34.5(a) or G.S. 14-34.5(b) prior to the effective date in this act, would be sentenced as a Class E felon.

**Shawn Middlebrooks, Staff Attorney for the Legislative Analysis Division, contributed to this summary.*

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