



HOUSE BILL 691: Assault on National Guard Member

2015-2016 General Assembly

Committee:	Senate Judiciary II	Date:	May 21, 2015
Introduced by:	Reps. Whitmire, Pendleton, Robinson	Prepared by:	Janice Paul
Analysis of:	Second Edition		Committee Counsel

SUMMARY: *House Bill 691 would make it a felony to commit certain types of assaults on a member of the North Carolina National Guard who is discharging or attempting to discharge official duties.*

BILL ANALYSIS: House Bill 691 would make specified assaults on a member of the North Carolina National Guard a felony offense.

Section 1. Currently, G.S. 14-34.7 is entitled, "Assault inflicting serious injury on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility; penalty." House Bill 691 would amend G.S. 14-34.7 by creating felony offenses for committing particular types of assaults on a member of the N.C. National Guard who is discharging or attempting to discharge his or her official duties, as follows:

- Assault inflicting serious bodily injury – Class F felony.
 - "Serious bodily injury" is defined in the North Carolina Criminal Law as "bodily injury that creates a substantial risk of death, or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization." [G.S. 14-32.4.]
- Assault inflicting physical injury – Class I felony.
 - "Physical injury" is specifically defined in current G.S. 14-34.7(c) to include "cuts, scrapes, bruises, or other physical injury which does not constitute serious injury."

Section 2 of the bill would amend G.S. 14-34.5, "Assault with a firearm on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility," to make it a Class E felony to commit an assault with a firearm upon a member of the North Carolina National Guard.

BACKGROUND: The First Edition of House Bill 691 placed the felonious offense of assaulting a member of the N.C. National Guard in the section of the criminal law relating to assaults on firefighters, emergency medical technicians, medical responders, and emergency department personnel.

EFFECTIVE DATE: This act becomes effective December 1, 2015, and applies to offenses committed on or after that date.

O. Walker Reagan
Director



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