

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 741

Short Title: Redefine Burglary.

(Public)

Sponsors: Representatives Lee; Baddour, Beall, Bowie, Bowman, Brawley, J. Brown, Brubaker, Church, Cole, DeVane, Griffin, Hightower, R. Hunter, McCombs, Moore, Robinson, Wilkins, and C. Wilson.

Referred to: Judiciary III.

April 5, 1993

A BILL TO BE ENTITLED

AN ACT TO REDEFINE THE CRIME OF BURGLARY TO INCLUDE AN OFFENSE THAT OCCURS IN THE DAYTIME AS WELL AS IN THE EVENING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-51 reads as rewritten:

"§ 14-51. First and second degree burglary.

There shall be are two degrees in the crime of burglary as defined at the common law- burglary. ~~If the crime be committed in~~ If any person enters at any time a dwelling house, or in a room used as a sleeping apartment in any building, building with the intent to commit any larceny or felony therein, and any person is in the actual occupation of any part of ~~said the~~ dwelling house or sleeping apartment at the time of the commission of ~~such the~~ crime, it shall be is burglary in the first degree. If ~~such the~~ crime be is committed in a dwelling house or sleeping apartment not actually occupied by anyone at the time of the commission of the crime, or if it ~~be is~~ committed in any house within the curtilage of a dwelling house or in any building not a dwelling house, but in which is a room used as a sleeping apartment and not actually occupied as such at the time of the commission of the crime, it ~~shall be is~~ burglary in the second degree. For the purposes of defining the crime of burglary, larceny ~~shall be is~~ deemed a felony without regard to the value of the property in question."

Sec. 2. G.S. 14-53 is repealed.

1 Sec. 3. This act becomes effective December 1, 1993, and applies to offenses
2 committed on or after that date.