

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 495
Committee Substitute Favorable 4/13/95
Committee Substitute #2 Favorable 5/8/95
Fourth Edition Engrossed 5/11/95

Short Title: Injury to Law Enforcement Animal.

(Local)

Sponsors:

Referred to:

March 20, 1995

A BILL TO BE ENTITLED

AN ACT TO MAKE IT A FELONY IN ALAMANCE, CUMBERLAND, DAVIE,
DAVIDSON, GASTON, GUILFORD, LINCOLN, MECKLENBURG, UNION,
AND WAKE COUNTIES TO INJURE OR KILL A LAW ENFORCEMENT OR
FIRE INVESTIGATION AGENCY ANIMAL, TO CREATE A NEW OFFENSE
FOR ASSAULT WITH A FIREARM UPON A LAW ENFORCEMENT OR FIRE
INVESTIGATION AGENCY ANIMAL, AND TO CREATE A NEW OFFENSE
FOR SIMPLE ASSAULT OR SIMPLE ASSAULT AND BATTERY UPON A LAW
ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-163.1 reads as rewritten:

"§ 14-163.1. Injuring or killing law-enforcement agency animal.

Any person who knows or has reason to know that an animal is used for law-enforcement purposes such as investigation, detection of narcotics or explosives, or crowd control, by any law-enforcement agency and who willfully and not in self defense, causes serious injury to or kills that animal is guilty of a Class ~~4 misdemeanor~~ I felony."

1 Sec. 2. Chapter 14 of the General Statutes is amended by adding a new section
2 to read:

3 **"§ 14-163.2. Assault with a firearm upon law enforcement or fire investigation**
4 **agency animal.**

5 Any person who knows or has reason to know that an animal is used for law
6 enforcement or fire investigation purposes such as investigation, detection of narcotics or
7 explosives, or crowd control, by any law enforcement or fire investigation agency and
8 who willfully and not in self-defense, commits an assault with a firearm or other deadly
9 weapon upon that animal or poisons the animal is guilty of a Class 3 misdemeanor."

10 Sec. 3. Chapter 14 of the General Statutes is amended by adding a new section
11 to read:

12 **"§ 14-163.3. Simple assault or simple assault and battery upon law enforcement or**
13 **fire investigation agency animal.**

14 Any person who knows or has reason to know that an animal is used for law
15 enforcement or fire investigation purposes such as investigation, detection of narcotics or
16 explosives, or crowd control, by any law enforcement or fire investigation agency and
17 who willfully and not in self-defense, commits a simple assault or a simple assault and
18 battery upon that animal is guilty of a Class 1 misdemeanor."

19 Sec. 4. This act applies only to Alamance, Cumberland, Davie, Davidson,
20 Gaston, Guilford, Lincoln, Mecklenburg, Union, and Wake Counties.

21 Sec. 5. This act becomes effective December 1, 1995, and applies to offenses
22 committed on and after that date.