## GENERAL ASSEMBLY OF NORTH CAROLINA **SESSION 2005**

## **SESSION LAW 2005-329** SENATE BILL 428

AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNAUTHORIZED USE OF A LASER DEVICE TOWARDS AN AIRCRAFT.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 36 of Chapter 14 of the General Statutes is amended by adding a new section to read:

- "<u>§ 14-280.2. Use of a laser device towards an aircraft.</u>

  (a) Any person who, willfully points a laser device at an aircraft, while the device is emitting a laser beam, and while the aircraft is taking off, landing, in flight, or otherwise in motion, is guilty of a Class H felony.
- The following definitions apply to this section:

  (1) "Aircraft" is as defined in G.S. 63-1.

  (2) "Laser" is as defined in G.S. 14-34.8.
- This section shall not apply where the laser use had been approved by a State (c) or federal agency."

**SECTION 2.** This act becomes effective December 1, 2005, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 16<sup>th</sup> day of August, 2005.

- s/ Marc Basnight President Pro Tempore of the Senate
- s/ James B. Black Speaker of the House of Representatives
- s/ Michael F. Easley Governor

Approved 11:21 a.m. this 26<sup>th</sup> day of August, 2005