

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 325

Short Title: Amend Arson Law/Prosecutor Funds. (Public)

Sponsors: Representatives McNeill and Hurley (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary II, if favorable, Appropriations

March 14, 2017

A BILL TO BE ENTITLED

AN ACT TO STRENGTHEN THE CRIMINAL LAWS REGARDING ARSON AND TO
APPROPRIATE FUNDS TO THE CONFERENCE OF DISTRICT ATTORNEYS TO
ESTABLISH AND SUPPORT A POSITION FOR A RESOURCE PROSECUTOR.

The General Assembly of North Carolina enacts:

SECTION 1. Article 15 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-67.2. Burning caused during commission of another felony.

If any person shall, during the commission of a felony, by means of fire or explosive, knowingly damage or knowingly cause, aid, abet, advise, encourage, hire, counsel, or procure another to damage any dwelling, structure, building, or conveyance referenced in this Article, the person shall be punished as a Class D felon."

SECTION 2. G.S. 14-69.3 reads as rewritten:

"§ 14-69.3. Arson or other unlawful burning that results in serious injury to a firefighter or firefighter, law enforcement officer, fire investigator, or emergency medical technician.

(a) The following definitions apply in this section:

(1) Emergency medical technician. – The term includes an emergency medical technician, an emergency medical technician-intermediate, and an emergency medical technician-paramedic, as those terms are defined in G.S. 131E-155.

(2) Fire investigator. – The term includes any person who, individually or as part of an investigative team, has the responsibility and authority to determine the origin, cause, or development of a fire or explosion.

(b) A person is guilty of a Class E felony if the person commits a felony under Article 15 of Chapter 14 of the General Statutes and a ~~firefighter~~ firefighter, law enforcement officer, fire investigator, or emergency medical technician suffers serious bodily injury while discharging or attempting to discharge ~~the firefighter's or emergency medical technician's official~~ duties on the property, or proximate to the property, that is the subject of the ~~firefighter's~~ firefighter's, law enforcement officer's, fire investigator's, or emergency medical technician's discharge or attempt to discharge his or her respective duties. ~~As used in this section, the term "emergency medical technician" includes an emergency medical technician, an emergency medical technician intermediate, and an emergency medical technician paramedic, as those terms are defined in G.S. 131E-155."~~

SECTION 3. There is appropriated from the General Fund to the Conference of District Attorneys the sum of one hundred fifteen thousand six hundred three dollars (\$115,603) in



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1 recurring funds and the sum of three thousand eight hundred sixty-five dollars (\$3,865) in
2 nonrecurring funds for the 2017-2018 fiscal year to establish and support a position for a resource
3 prosecutor. The resource prosecutor will serve as a resource for prosecutors, law enforcement,
4 firefighters, fire marshals, arson investigators, medical professionals, and other allied professionals
5 in the State on arson and homicide cases and also develop and provide training programs for
6 prosecutors, law enforcement officers, and other allied professionals that will improve the ability
7 to effectively prosecute arson and homicide cases.

8 **SECTION 4.** Sections 3 and 4 of this act become effective July 1, 2017. The
9 remainder of this act becomes effective December 1, 2017, and applies to offenses committed on
10 or after that date.