

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-360
SENATE BILL 1081**

AN ACT TO MAKE IT A CRIMINAL OFFENSE FOR A PRISONER TO THROW
BODILY FLUIDS OR EXCREMENT AT A STATE OR LOCAL GOVERNMENT
EMPLOYEE WHILE IN THE PERFORMANCE OF THE EMPLOYEE'S DUTIES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 33 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-258.4. Malicious conduct by prisoner.

(a) Any person in the custody of the Department of Correction, the Department of Juvenile Justice and Delinquency Prevention, any law enforcement officer, or any local confinement facility (as defined in G.S. 153A-217, or G.S. 153A-230.1), including persons pending trial, appellate review, or presentence diagnostic evaluation, who knowingly and willfully throws, emits, or causes to be used as a projectile, bodily fluids or excrement at a person who is an employee of the State or a local government while the employee is in the performance of the employee's duties is guilty of a Class F felony. The provisions of this section apply to violations committed inside or outside of the prison, jail, detention center, or other confinement facility."

SECTION 2. This act becomes effective December 1, 2001, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 2nd day of August, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:44 a.m. this 10th day of August, 2001