

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 597
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30254-LH-81 (02/25)

Short Title: Willful Injury of Person/Trap in Public Park. (Public)

Sponsors: Representatives Bradford, Bert Jones, Zachary, and Clampitt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE CRIMINAL OFFENSE OF MALICIOUS INJURY THROUGH
3 USE OF A TRAP IN PUBLIC PARKS.

4 The General Assembly of North Carolina enacts:

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

7 "Article 13C.

8 "Malicious Injury Through Use of a Trap in Public Parks.

9 "**§ 14-50.50. Malicious injury through use of a trap in public parks; punishment.**

10 (a) The following definitions apply in this section:

11 (1) Public park. – The term includes public parks, public recreational areas,
12 walking trails, greenways, horse trails, and State forests.

13 (2) Trap. – Any object or device designed or placed in a manner to cause bodily
14 injury upon contact with the object or device. The term includes all of the
15 following:

16 a. Guns, ammunition, or explosive devices attached to trip wires or
17 other triggering mechanisms.

18 b. Sharpened stakes, nails, or spikes.

19 c. Electrical devices.

20 d. Lines or wires with hooks or other sharp objects attached.

21 e. Devices that produce toxic fumes or gases.

22 (b) Except as provided otherwise by this section, any person who willfully and
23 maliciously sets a trap in a public park for the purpose of injuring another person or who
24 willfully and maliciously aids or procures the setting of a trap in a public park for the purpose
25 of injuring another person is guilty of a Class A1 misdemeanor.

26 (c) A violation of subsection (b) that inflicts physical injury on another person is a
27 Class H felony.

28 (d) A violation of subsection (b) that inflicts serious injury on another person is a Class
29 E felony.

30 (e) A person who is convicted of any violation under this section in which the trap was
31 camouflaged or concealed is guilty of an offense that is one class higher than the offense
32 committed. A Class A1 misdemeanor shall be enhanced to a Class I felony under this
33 subsection."

34 SECTION 2. This act becomes effective December 1, 2017, and applies to
35 offenses committed on or after that date.

