

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 703

Short Title: Felon W/Gun/B&E/Increased Penalties. (Public)

Sponsors: Representatives Brawley, Dollar, and Henson (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary II

April 11, 2017

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE CRIMINAL PENALTY FOR A VIOLATION OF THE
FELONY FIREARMS ACT AND TO INCREASE THE CRIMINAL PENALTY FOR
BREAKING OR ENTERING.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-415.1(a) reads as rewritten:

"(a) It shall be unlawful for any person who has been convicted of a felony to purchase, own, possess, or have in his custody, care, or control any firearm or any weapon of mass death and destruction as defined in G.S. 14-288.8(c). For the purposes of this section, a firearm is (i) any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, or its frame or receiver, or (ii) any firearm muffler or firearm silencer. This section does not apply to an antique firearm, as defined in G.S. 14-409.11.

Every person violating the provisions of this section shall be punished as a Class ~~G felon~~C felon."

SECTION 2. G.S. 14-54 reads as rewritten:

"§ 14-54. **Breaking or entering buildings generally.**

(a) Any person who breaks or enters any building with intent to commit any felony or larceny therein shall be punished as a Class ~~H felon~~G felon.

(a1) Any person who breaks or enters any building with intent to terrorize or injure an occupant of the building is guilty of a Class ~~H felony~~G felon.

(a2) Any person who breaks or enters any building that is occupied with intent to commit any felony or larceny therein shall be punished as a Class D felon.

(b) Any person who wrongfully breaks or enters any building is guilty of a Class 1 misdemeanor.

(c) As used in this section, "building" shall be construed to include any dwelling, dwelling house, uninhabited house, building under construction, building within the curtilage of a dwelling house, and any other structure designed to house or secure within it any activity or property."

SECTION 3. This act becomes effective December 1, 2017, and applies to offenses committed on or after that date.

