

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 66  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40020-SA-1

Short Title: Req Active Time Felony Death MV/Boat. (Public)

Sponsors: Representatives Pittman, Speciale, Jackson, and Graham (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE ACTIVE TIME FOR A CONVICTION OF FELONY DEATH BY  
3 VEHICLE OR FELONY DEATH BY IMPAIRED BOATING.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 20-141.4(b) reads as rewritten:

6 "(b) Punishments. – Unless the conduct is covered under some other provision of law  
7 providing greater punishment, the following classifications apply to the offenses set forth in this  
8 section:

- 9 (1) Repeat felony death by vehicle is a Class B2 felony.  
10 (1a) Aggravated felony death by vehicle is a Class D felony. Notwithstanding the  
11 provisions of G.S. 15A-1340.17, the court shall sentence the defendant in the  
12 aggravated range of the appropriate Prior Record Level.  
13 (2) Felony death by vehicle is a Class D felony. Notwithstanding the provisions  
14 of G.S. 15A-1340.17, intermediate punishment is authorized for a defendant  
15 who is a Prior Record Level I offender. Any intermediate punishment issued  
16 pursuant to this subdivision shall include special probation with a continuous  
17 period of confinement of one-fourth the maximum sentence of imprisonment  
18 imposed for the offense. Notwithstanding G.S. 15A-1351, the continuous  
19 period of confinement imposed may be for a period of up to 27 months.  
20 (3) Aggravated felony serious injury by vehicle is a Class E felony.  
21 (4) Felony serious injury by vehicle is a Class F felony.  
22 (5) Misdemeanor death by vehicle is a Class A1 misdemeanor."

23 SECTION 2. G.S. 75A-10.3(f) reads as rewritten:

24 "(f) Punishments. – Unless the conduct is covered under some other provision of law  
25 providing greater punishment, the following classifications apply to the offenses set forth in this  
26 section:

- 27 (1) Repeat death by impaired boating is a Class B2 felony.  
28 (2) Aggravated death by impaired boating is a Class D felony. Notwithstanding  
29 the provisions of G.S. 15A-1340.17, the court shall sentence the defendant in  
30 the aggravated range of the appropriate Prior Record Level.  
31 (3) Death by impaired boating is a Class D felony. Notwithstanding the provisions  
32 of G.S. 15A-1340.17, intermediate punishment is authorized for a defendant  
33 who is a Prior Record Level I offender. Any intermediate punishment issued  
34 pursuant to this subdivision shall include special probation with a continuous  
35 period of confinement of one-fourth the maximum sentence of imprisonment



- 1                            imposed for the offense. Notwithstanding G.S. 15A-1351, the continuous  
2                            period of confinement imposed may be for a period of up to 27 months.  
3                    (4)    Aggravated serious injury by impaired boating is a Class E felony.  
4                    (5)    Serious injury by impaired boating is a Class F felony."  
5                    **SECTION 3.** This act becomes effective December 1, 2019, and applies to offenses  
6 committed on or after that date.