

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 151
Committee Substitute Favorable 5/5/21

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

(Public)

Sponsors:

Referred to:

February 25, 2021

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.~~

16 (3) Aggravated felony serious injury by vehicle is a Class E felony.

17 (4) Felony serious injury by vehicle is a Class F felony.

18 (5) Misdemeanor death by vehicle is a Class A1 misdemeanor."

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

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

23 (1) Repeat death by impaired boating is a Class B2 felony.

24 (2) Aggravated death by impaired boating is a Class D felony. Notwithstanding
25 the provisions of G.S. 15A-1340.17, the court shall sentence the defendant in
26 the aggravated range of the appropriate Prior Record Level.

27 (3) Death by impaired boating is a Class D felony. ~~Notwithstanding the provisions~~
28 ~~of G.S. 15A-1340.17, intermediate punishment is authorized for a defendant~~
29 ~~who is a Prior Record Level I offender.~~

30 (4) Aggravated serious injury by impaired boating is a Class E felony.

31 (5) Serious injury by impaired boating is a Class F felony."

32 **SECTION 3.** This act becomes effective December 1, 2021, and applies to offenses
33 committed on or after that date.

