

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

S

1

SENATE BILL 616

Short Title: Protect Law Enforcement Act. (Public)

Sponsors: Senators McInnis and Britt (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 7, 2021

A BILL TO BE ENTITLED

AN ACT TO REQUIRE PERSONS EIGHTEEN YEARS OF AGE OR OLDER TO PROVIDE AID TO A LAW ENFORCEMENT OFFICER UPON REQUEST OF THE OFFICER AND TO CLARIFY THAT THE OFFENSE OF RESISTING A LAW ENFORCEMENT OFFICER INCLUDES INTERFERING WITH THE LAW ENFORCEMENT OFFICER.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the "Protect Law Enforcement Act."

SECTION 2. Article 30 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-223.1. Refusing to aid a law enforcement officer.

(a) Offense. – It is unlawful for any person 18 years of age or older, upon request of a federal, State, county, or municipal law enforcement officer identifiable or identified to the person as such, to unreasonably fail or refuse to aid the law enforcement officer in effecting an arrest of another person or preventing the commission by another person of a criminal offense.

(b) Punishment. – A violation of subsection (a) of this section is a Class 1 misdemeanor.

(c) Liability. – A person who provides aid in accordance with subsection (a) of this section shall not be liable for any injury to or for the death of any person, or for any loss or damage to property, by reason of any act or omission in rendering that aid unless it is established that the injury, death, loss, or damage occurred as a result of gross negligence, wanton conduct, or intentional wrongdoing."

SECTION 3. G.S. 14-223 reads as rewritten:

"§ 14-223. Resisting officers.

If any person shall willfully and unlawfully resist, ~~delay~~ interfere, ~~delay~~, or obstruct a public officer in discharging or attempting to discharge a duty of ~~his~~ the officer's office, ~~he~~ the person shall be guilty of a Class 2 misdemeanor."

SECTION 4. This act becomes effective December 1, 2021, and applies to offenses committed on or after that date.

