

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 496

Short Title: Assault on School Bus Driver.

(Public)

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Sponsors: Representatives Sexton; Adams, Allred, Arnold, Baker, Barbee, Boyd-McIntyre, Brawley, Carpenter, Cocklereece, Culp, Cummings, Davis, Dockham, Earle, Easterling, Eddins, Ellis, H. Hunter, Ives, Kiser, McAllister, McComas, McCrary, McLaughlin, McMahan, Michaux, K. Miller, Mitchell, Oldham, Owens, Pate, Preston, Pulley, Reynolds, Richardson, Russell, Shaw, Shubert, Wainwright, Watson, Weatherly, G. Wilson, and Yongue.

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Referred to: Judiciary II.

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March 20, 1995

A BILL TO BE ENTITLED

AN ACT TO CREATE AN OFFENSE FOR ASSAULTING A SCHOOL BUS DRIVER.

The General Assembly of North Carolina enacts:

Section 1. Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-33.2. Misdemeanor assault of school bus driver.**

A person is guilty of a Class 1 misdemeanor if:

(1) The person threatens to physically injure a school bus driver when the school bus driver is discharging or attempting to discharge his or her duties;

(2) The threat is communicated to the school bus driver orally, in writing, or by other means;

(3) The school bus driver reasonably believes that the threat will be carried out; and

1           (4) The person is not a student enrolled at the school to which the school  
2           bus provides transportation."

3           Sec. 2. Chapter 14 of the General Statutes is amended by adding a new section  
4 to read:

5 **"§ 14-34.5. Felonious assault of school bus driver and others.**

6           Any person who without lawful permission or authority boards a school bus and  
7 commits an assault upon a school bus driver, school bus monitor, school employee, or  
8 student who is boarding the school bus or who is on the school bus is guilty of a Class I  
9 felony."

10           Sec. 3. This act becomes effective December 1, 1995, and applies to offenses  
11 committed on or after that date.