

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1011*
Judiciary I Committee Substitute Adopted 4/27/99

Short Title: Bullet-Proof Vest/Commit Felony.

(Public)

Sponsors:

Referred to:

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE IMPOSED ON A PERSON WHO HAS IN HIS OR HER IMMEDIATE POSSESSION OR IS WEARING A BULLET-PROOF VEST WHILE COMMITTING A FELONY.

The General Assembly of North Carolina enacts:

Section 1. Part 2 of Article 81B of Chapter 15A of the General Statutes is amended by adding a new section to read:

"§ 15A-1340.16C. Enhanced sentence if defendant is convicted of a felony and the defendant was wearing or had in his or her immediate possession a bullet-proof vest during the commission of the felony.

(a) If a person is convicted of a felony and the court finds that the person was wearing or had in his or her immediate possession a bullet-proof vest at the time of the felony, then the person is guilty of a felony that is one class higher than the underlying felony for which the person was convicted.

(b) This section does not apply if the evidence that the person possessed a bullet-proof vest is needed to prove an element of the underlying felony for which the person was convicted."

1 Section 2. This act becomes effective December 1, 1999, and applies to
2 offenses committed on or after that date.