

GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 1994

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HOUSE BILL 222

Short Title: Death Penalty/Murder Law Officer.

(Public)

Sponsors: Representatives Balmer; Bowman, Gardner, Lemmond, and Warner.

Referred to: Judiciary III.

February 15, 1994

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE A PERSON WHO MURDERS A SWORN LAW
2 ENFORCEMENT OFFICER TO BE SENTENCED TO DEATH.

3 The General Assembly of North Carolina enacts:

4 Section 1. Article 6 of Chapter 14 of the General Statutes is amended by
5 adding a new section to read:

6 **"§ 14-17.2. Murder of a sworn law enforcement officer.**

7 A person who commits first or second degree murder, as defined in G.S. 14-17, is
8 guilty of murder of a law enforcement officer if the murder victim was a sworn law
9 enforcement officer who either was performing an official duty when the murder
10 occurred or was murdered because of the prior exercise of an official duty. Murder of a
11 law enforcement officer is a Class A felony punishable by death. Upon conviction or
12 adjudication of guilt of a defendant for murder of a law enforcement officer, the court
13 shall sentence the defendant to death. A law enforcement officer includes a federal,
14 State, or local law enforcement officer."

15 Sec. 2. G.S. 15A-2000(e)(8) reads as rewritten:

16 "(8) The capital felony was committed against a ~~law enforcement officer, an~~
17 ~~employee of the Department of Correction, or a jailer, fireman, judge~~
18 ~~or justice, former judge or justice, prosecutor or former prosecutor,~~
19 ~~juror or former juror, or witness or former witness against the~~
20 ~~defendant, while engaged in the performance of his official duties or~~
21 ~~because of the exercise of his official duty."~~

22 Sec. 3. This act becomes effective July 1, 1994, and applies to offenses
23 committed on or after that date.
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