

understand what you have before us at this particular point. What you are saying to the body is that if a person drives by a house, they see another person in the house, they shoot a firearm at the house, they might even hit the house, but the projectile hit the house in the top story, the person was in the bottom story, we know who did it, we apprehend the person, there is clear-cut evidence that he fired at the house, you're saying that no felony charges could be filed under any circumstance there. Is that correct?

SENATOR ABOUD: Yes.

SENATOR BERNARD-STEVENS: Okay, and I'm going to have to think about that because that, to me, is interesting I guess. The question that I have for you, the way the bill is now worded, we have stricken out the word maliciously, if I understand. So now we have just with the intent. Correct? If I intend to shoot a firearm at an inhabited or occupied or go through the litany of what needs to be inhabited or occupied and the projectile actually hits that place that was inhabited, then that would be a felony?

SENATOR ABOUD: Yes.

SENATOR BERNARD-STEVENS: Okay. I know this is what if and I know we can what if any bill at any time, you know, on any situation, so I'm not trying to what if the bill, but I do have a question, what would happen. Now there is a person out there, whether they had a fight with somebody or whether they didn't, they are out there shooting at a bird out in the country and they miss, hit the house, they hit a house that is occupied. Okay, now obviously the intent was to fire the weapon because they were trying to hit the bird, but they hit the house. Is that a felony then under this bill?

SENATOR ABOUD: No.

SENATOR BERNARD-STEVENS: And why would it not be?

SENATOR ABOUD: No, it's not a felony.

SENATOR BERNARD-STEVENS: And it would not be for what reason?

SENATOR ABOUD: Because the language of the bill states "intentionally discharges a firearm and strikes with a