

NORTH CAROLINA GENERAL ASSEMBLY  
1969 SESSION

CHAPTER 457  
SENATE BILL 451

1 AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO PROHIBIT THE  
2 EXHIBITING OF MENTALLY OR PHYSICALLY DEFECTIVE CHILDREN.

3  
4 The General Assembly of North Carolina do enact:  
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6 **Section 1.** Chapter 110 of the General Statutes, as it appears in Replacement  
7 Volume 3A of the General Statutes, is hereby amended by adding a new Article therein,  
8 immediately after Article 1 and immediately before Article 2 as follows:

9 "ARTICLE 1A.

10 "EXHIBITION OF CHILDREN.

11 **"G.S. 110-20.1. Exhibition of certain children prohibited.** (a) Except to the extent otherwise  
12 provided in subsection (d) of this section, it is unlawful to exhibit publicly for any purpose, or  
13 to exhibit privately for the purpose of entertainment, or solely or primarily for the satisfaction  
14 of the curiosity of any observer, any child under the age of 18 years who is mentally ill or  
15 mentally retarded or who presents the appearance of having any deformity or unnatural  
16 physical formation or development, whether or not the exhibiting of the child is in return for a  
17 monetary or other consideration.

18 (b) It is unlawful to employ, use, have custody of, or in any way be associated with any  
19 child described in subsection (a) for the purpose of an exhibition forbidden therein, or for one  
20 who has the care, custody or control of the child as a parent, relative, guardian, employer or  
21 otherwise, to neglect or refuse to restrain the child from participating in the exhibition.

22 (c) It is unlawful to procure or arrange for, or participate in procuring or arranging for,  
23 anything made unlawful by subsections (a) and (b).

24 (d) This section does not apply to the transmission of an image by television by a duly  
25 licensed television station, or to any exhibition by a Federal, State, county or municipal  
26 government, or political subdivision or agency thereof, or to any exhibition by any corporation,  
27 unincorporated association, or other organization organized and operated exclusively for  
28 religious, charitable, or educational purposes, no part of the net earnings of which inures to the  
29 benefit of any private shareholder or individual.

30 (e) Any violation of this Article shall be a misdemeanor which, upon conviction, shall  
31 be punished by a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) or  
32 imprisonment for not more than 30 days, or both such fine and imprisonment. Each day during  
33 which any violation of this Article continues after notice to the violator, from any county  
34 welfare director, to cease and desist from any violation of this section shall constitute a separate  
35 and distinct offense. Any act or omission forbidden by this Article shall, with respect to each  
36 child described therein constitute a separate and distinct offense."

37 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

38 **Sec. 3.** This Act shall be effective on and after July 1, 1969.

39 In the General Assembly read three times and ratified, this the 12th day of May,  
40 1969.