

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 160
Committee Substitute Favorable 3/15/99
Third Edition Engrossed 3/22/99
Senate Judiciary II Committee Substitute Adopted 7/12/99

Short Title: Increase Child Abuse Penalty.

(Public)

Sponsors:

Referred to:

February 25, 1999

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT
3 RESULTS IN SERIOUS BODILY INJURY OR PERMANENT LOSS OR
4 IMPAIRMENT OF ANY MENTAL OR EMOTIONAL FUNCTION.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 14-318.4 reads as rewritten:
7 "**§ 14-318.4. Child abuse a felony.**
8 (a) A parent or any other person providing care to or supervision of a child less
9 than 16 years of age who intentionally inflicts any serious physical injury upon or to the
10 child or who intentionally commits an assault upon the child which results in any serious
11 physical injury to the child is guilty of a Class E ~~felony~~-felony, except as otherwise
12 provided in subsection (a3) of this section.
13 (a1) Any parent of a child less than 16 years of age, or any other person providing
14 care to or supervision of the child, who commits, permits, or encourages any act of
15 prostitution with or by the juvenile is guilty of child abuse and shall be punished as a
16 Class E felon.

1 (a2) Any parent or legal guardian of a child less than 16 years of age who commits
2 or allows the commission of any sexual act upon a juvenile is guilty of a Class E felony.

3 (a3) A parent or any other person providing care to or supervision of a child less
4 than 16 years of age who intentionally inflicts any serious bodily injury to the child or
5 who intentionally commits an assault upon the child which results in any serious bodily
6 injury to the child, or which results in permanent or protracted loss or impairment of any
7 mental or emotional function of the child, is guilty of a Class C felony. 'Serious bodily
8 injury' is defined as bodily injury that creates a substantial risk of death, or that causes
9 serious permanent disfigurement, coma, a permanent or protracted condition that causes
10 extreme pain, or permanent or protracted loss or impairment of the function of any bodily
11 member or organ, or that results in prolonged hospitalization.

12 (b) The felony of child abuse is an offense additional to other civil and criminal
13 provisions and is not intended to repeal or preclude any other sanctions or remedies."

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