

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE BILL 97**

Short Title: Term. Par. Rights/Murder of Parent by Parent.

(Public)

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Sponsors: Representatives Moore; Frye and Pate.

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Referred to: Judiciary II.

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February 7, 2005

1                                   A BILL TO BE ENTITLED  
2 AN ACT TERMINATING THE PARENTAL RIGHTS OF A PARENT WHO  
3 MURDERS THE OTHER PARENT OF THE CHILD.

4 The General Assembly of North Carolina enacts:

5           **SECTION 1.** G.S. 7B-1111(a)(8) reads as rewritten:

6           "(a) The court may terminate the parental rights upon a finding of one or more of  
7 the following:

8           ...

9           (8) The parent has committed murder or voluntary manslaughter of  
10 another child of the parent or other child residing in the home; has  
11 aided, abetted, attempted, conspired, or solicited to commit murder or  
12 voluntary manslaughter of the child, another child of the parent, or  
13 other child residing in the home; ~~or~~ has committed a felony assault that  
14 results in serious bodily injury to the child, another child of the parent,  
15 or other child residing in the ~~home~~ home; or has committed murder or  
16 voluntary manslaughter of the other parent of the child. The petitioner  
17 has the burden of proving any of these offenses in the termination of  
18 parental rights hearing by (i) proving the elements of the offense or (ii)  
19 offering proof that a court of competent jurisdiction has convicted the  
20 parent of the offense, whether or not the conviction was by way of a  
21 jury verdict or any kind of plea.

22           ...."

23           **SECTION 2.** This act is effective when it becomes law.