

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 699
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10337-ML-117A

Short Title: Elder Abuse & Neglect/Increase Punishment.

(Public)

Sponsors: Representative Pickett.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE PUNISHMENT FOR THE ABUSE OR NEGLECT OF A
3 DISABLED OR ELDER ADULT.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 14-32.3 reads as rewritten:

6 "**§ 14-32.3. Domestic abuse, neglect, and exploitation of disabled or elder adults.**

7 (a) Abuse. – A person is guilty of abuse if that person is a caretaker of a disabled or elder
8 adult who is residing in a domestic setting and, with malice aforethought, knowingly and
9 willfully: (i) assaults, (ii) fails to provide medical or hygienic care, or (iii) confines or restrains
10 the disabled or elder adult in a place or under a condition that is cruel or unsafe, and as a result
11 of the act or failure to act the disabled or elder adult suffers mental or physical injury.

12 If the disabled or elder adult suffers serious injury from the abuse, the caretaker is guilty of a
13 Class ~~F-E~~ felony. If the disabled or elder adult suffers injury from the abuse, the caretaker is
14 guilty of a Class ~~H-G~~ felony.

15 A person is not guilty of an offense under this subsection if the act or failure to act is in
16 accordance with G.S. 90-321 or G.S. 90-322.

17 (b) Neglect. – A person is guilty of neglect if that person is a caretaker of a disabled or
18 elder adult who is residing in a domestic setting and, wantonly, recklessly, or with gross
19 carelessness: (i) fails to provide medical or hygienic care, or (ii) confines or restrains the disabled
20 or elder adult in a place or under a condition that is unsafe, and as a result of the act or failure to
21 act the disabled or elder adult suffers mental or physical injury.

22 If the disabled or elder adult suffers serious injury from the neglect, the caretaker is guilty of
23 a Class ~~G-F~~ felony. If the disabled or elder adult suffers injury from the neglect, the caretaker is
24 guilty of a Class ~~H-H~~ felony.

25 A person is not guilty of an offense under this subsection if the act or failure to act is in
26 accordance with G.S. 90-321 or G.S. 90-322.

27"

28 **SECTION 2.** This act becomes effective December 1, 2021, and applies to offenses
29 committed on or after that date.



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