

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

S

1

SENATE BILL 442

Short Title: Parents Protection Act. (Public)

Sponsors: Senators Burgin, Galey, and Sawrey (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 25, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES TO LAWS AFFECTING THE CARE OF
3 JUVENILES AND THE ADOPTION OF CHILDREN.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** The title of Article 1 of Subchapter I of Chapter 7B of the General
6 Statutes reads as rewritten:

7 "Article 1.

8 "Purposes; ~~Definitions.~~ Definitions; Limitation."

9 **SECTION 1.(b)** Article 1 of Subchapter I of Chapter 7B of the General Statutes is
10 amended by adding a new section to read:

11 "**§ 7B-102. Limitation.**

12 A parent, guardian, custodian, or caretaker who raises a juvenile consistent with the juvenile's
13 biological sex, or who refers to a juvenile consistent with the juvenile's biological sex, shall not
14 be subject to a petition supporting abuse or neglect under this Subchapter based solely on those
15 acts. This section shall not be construed to authorize or allow any other acts or omissions
16 prohibited by this Subchapter that would constitute abuse or neglect, including abandonment or
17 the creation of an injurious environment."

18 **SECTION 1.(c)** G.S. 48-3-203 reads as rewritten:

19 "**§ 48-3-203. Agency placement adoption.**

20 (a) An agency may acquire legal and physical custody of a minor for purposes of adoptive
21 placement only by means of a relinquishment pursuant to Part 7 of this Article or by a court order
22 terminating the rights and duties of a parent or guardian of the minor.

23 (a1) No agency shall deny or delay (i) the opportunity to become an adoptive parent or (ii)
24 the placement of a child for adoption on the basis of ~~race~~, any of the following:

25 (1) Race, color, or national origin of the person or the child involved.

26 (2) The adoptive parents' refusal, unwillingness, or lack of support to enable the
27 child to engage in a gender transition.

28"

29 **SECTION 1.(d)** G.S. 131D-10.1 reads as rewritten:

30 "**§ 131D-10.1. Foster Care Children's Bill of Rights; purpose.**

31 (a) It is the policy of this State to strengthen and preserve the family as a unit consistent
32 with a high priority of protecting children's welfare. When a child requires care outside the family
33 unit, it is the duty of the State to assure that the quality of substitute care is as close as possible
34 to the care and nurturing that society expects of a family. However, the State recognizes there
35 are instances when protecting a child's welfare outweighs reunifying the family unit, and as such,
36 the care of residential care facilities providing high quality services that include meeting the



1 children's educational needs as determined by the Department of Health and Human Services,
2 Division of Social Services can satisfy the standard of protecting a child's welfare, regardless of
3 the child's age, particularly when the sibling groups can be kept intact. To that end, the General
4 Assembly promotes the following in the provision of foster care:

- 5 (1) A safe foster home free of violence, abuse, neglect, and danger. The act of
6 raising a child in a manner consistent with the child's biological sex, including
7 any related mental health or medical decisions, shall not be considered a
8 violation under this subdivision of violence, abuse, neglect, or danger, as those
9 terms are used in this subdivision.

10 ...

11 A violation of subdivisions (1) through (11) of this subsection shall not be construed to create a
12 cause of action under this section against the State, the Department of Health and Human
13 Services, or a person or entity providing foster care pursuant to this Article.

14 (a1) No agency or other State entity shall deny or delay (i) the opportunity to become a
15 foster parent or (ii) the placement of a child in foster care on the basis of ~~race~~, any of the
16 following:

- 17 (1) Race, color, or national origin of the person or the child involved.
18 (2) The adoptive parents' refusal, unwillingness, or lack of support to enable the
19 child to engage in a gender transition.

20 (b) The purpose of this Article is to assign the authority to protect the health, safety and
21 well-being of children separated from or being cared for away from their families."

22 **SECTION 1.(e)** This section becomes effective December 1, 2025, and applies to
23 petitions filed on or after that date.

24 **SECTION 2.(a)** G.S. 14-318.2 reads as rewritten:

25 **"§ 14-318.2. Child abuse a misdemeanor.**

26 ...

27 (d) Any parent of a child less than 16 years of age, or any other person providing care to
28 or supervision of the child, is not guilty of a violation of this section for raising a child consistent
29 with the child's biological sex, including referring to a child consistent with the child's biological
30 sex, and making related mental health or medical decisions based on the child's biological sex.
31 Nothing in this subsection shall be construed to authorize or allow any other acts or omissions
32 that would constitute a violation under this section, including the infliction of serious physical
33 injury or the creation of a substantial risk of physical injury."

34 **SECTION 2.(b)** G.S. 14-318.4 reads as rewritten:

35 **"§ 14-318.4. Child abuse a felony.**

36 ...

37 (c1) Any parent of a child less than 16 years of age, or any other person providing care to
38 or supervision of the child, is not guilty of a violation of this section for raising a child consistent
39 with the child's biological sex, including referring to a child consistent with the child's biological
40 sex, and making related mental health or medical decisions based on the child's biological sex.
41 Nothing in this subsection shall be construed to authorize or allow any other acts or omissions
42 that would constitute a violation under this section, including the infliction of serious bodily
43 injury or serious physical injury.

44 (d) The following definitions apply in this section:

- 45 (1) Serious bodily injury. – Bodily injury that creates a substantial risk of death
46 or that causes serious permanent disfigurement, coma, a permanent or
47 protracted condition that causes extreme pain, or permanent or protracted loss
48 or impairment of the function of any bodily member or organ, or that results
49 in prolonged hospitalization.
50 (2) Serious physical injury. – Physical injury that causes great pain and suffering.
51 The term includes serious mental injury. For purposes of this subdivision, a

1 parent raising a child consistent with the child's biological sex does not
2 constitute serious mental injury."

3 **SECTION 2.(c)** This section becomes effective December 1, 2025, and applies to
4 offenses committed on or after that date.

5 **SECTION 3.** Except as otherwise provided, this act becomes effective December 1,
6 2025.