

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1301

Short Title: Abduction From Legal Custodian.

(Public)

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Sponsors: Representatives Clary, Easterling, Dickson, Sharpe, Wright; Baker, Carpenter, Earle, Eddins, Edwards, Kiser, McMahan, Pate, Pulley, Rayfield, Reynolds, J. Robinson, Sherrill, and Weatherly.

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Referred to: Judiciary II.

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May 23, 1996

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT IT IS A CLASS F FELONY TO ABDUCT A CHILD  
2 FROM ANY PERSON, AGENCY, OR INSTITUTION LAWFULLY ENTITLED  
3 TO THE CHILD'S CUSTODY AS RECOMMENDED BY THE NORTH  
4 CAROLINA CHILD FATALITY TASK FORCE.  
5

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 14-41 reads as rewritten:

8 **"§ 14-41. Abduction of children.**

9 ~~If anyone shall abduct or by any means induce any child under the age of fourteen~~  
10 ~~years, who shall reside with its father, mother, uncle, aunt, brother or elder sister, or shall~~  
11 ~~reside at a school, or be an orphan and reside with a guardian, to leave such person or~~  
12 ~~school, he shall be punished as a Class F felon.~~

13 (a) Any person who, without legal justification or excuse, abducts any minor  
14 child from any person, agency, or institution lawfully entitled to the child's custody,  
15 placement, or care shall be guilty of a Class F felony.

16 (b) Any person who, without legal justification or excuse and being at least four  
17 years older than the victim, induces any minor child to leave any person, agency, or

1 institution lawfully entitled to the child's custody, placement, or care shall be guilty of a  
2 Class F felony.

3 (c) The provisions of this section shall not apply to any public officer or employee  
4 in the performance of his or her duty."

5 Sec. 2. This act becomes effective December 1, 1996, and applies to offenses  
6 committed on or after that date.