

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 272

Short Title: Child Custody Violation/Misdemeanor/AB.

(Public)

Sponsors: Representatives Thomas; McCrary, Mosley, Barefoot, Bridgeman, Clary, Cox, Gardner, McLawhorn, Melton, Morris, Tucker, Wainwright, Warner, and Warren.

Referred to: Judiciary IV.

March 4, 1999

A BILL TO BE ENTITLED

AN ACT TO MAKE THE IN-STATE VIOLATION OF A CHILD CUSTODY ORDER
A MISDEMEANOR.

The General Assembly of North Carolina enacts:

Section 1. Article 39 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-320.2. Transporting child inside the State with intent to violate custody order.

(a) When any federal court or state court in the United States has awarded custody of a child under the age of 16 years, it is unlawful for any person to intentionally violate the court order by taking or transporting, or causing to be taken or transported, any such child from any point within this State to any other point within this State or to keep the child in violation of a court order within the limits of this State.

(b) Unless the conduct prohibited by this section is prohibited by some other provision of law providing for greater punishment, a violation of this section is a Class 1 misdemeanor. Keeping or transporting a child in violation of a court order for a period in excess of 72 hours is prima facie evidence that the person charged intended to violate the order at the time of taking."

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