

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 252

Short Title: Child Abuse Penalty.

(Public)

Sponsors: Senators Horton; Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Garrou, Garwood, Hartsell, Hoyle, Lucas, Miller, Moore, Rucho, and Weinstein.

Referred to: Judiciary II.

March 8, 1999

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE CRIMINAL PENALTY IN CERTAIN CASES OF CHILD ABUSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-318.4 reads as rewritten:

"§ 14-318.4. Child abuse a felony.

(a) A parent or any other person providing care to or supervision of a child less than 16 years of age who intentionally inflicts any serious physical injury upon or to the child or who intentionally commits an assault upon the child which results in any serious physical injury to the child is guilty of a Class E ~~felony~~ felony, except as provided in subsection (a3) of this section.

(a1) Any parent of a child less than 16 years of age, or any other person providing care to or supervision of the child, who commits, permits, or encourages any act of prostitution with or by the juvenile is guilty of child abuse and shall be punished as a Class E felon.

(a2) Any parent or legal guardian of a child less than 16 years of age who commits or allows the commission of any sexual act upon a juvenile is guilty of a Class E felony.

1 (a3) A parent or any other person providing care to or supervision of a child less
2 than 16 years of age who intentionally inflicts any extreme debilitating injury upon or to
3 the child or who intentionally commits an assault upon the child which results in any
4 extreme debilitating injury to the child is guilty of a Class C felony. For purposes of this
5 section, 'extreme debilitating injury' means injury that creates a substantial risk of death,
6 or that causes serious permanent disfigurement, coma, a permanent or protracted
7 condition that causes extreme pain, or permanent or protracted loss or impairment of the
8 function of any bodily member or organ or any mental or emotional function, or that
9 results in prolonged hospitalization.

10 (b) The felony of child abuse is an offense additional to other civil and criminal
11 provisions and is not intended to repeal or preclude any other sanctions or remedies."

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