

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 160
Committee Substitute Favorable 3/15/99
Third Edition Engrossed 3/22/99

Short Title: Increase Child Abuse Penalty.

(Public)

Sponsors:

Referred to:

February 25, 1999

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT
3 RESULTS IN EXTREME DEBILITATING INJURY.

4 The General Assembly of North Carolina enacts:

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

6 "**§ 14-318.4. Child abuse a felony.**

7 (a) A parent or any other person providing care to or supervision of a child less
8 than 16 years of age who intentionally inflicts any serious physical injury upon or to the
9 child or who intentionally commits an assault upon the child which results in any serious
10 physical injury to the child is guilty of a Class E felony.

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

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

17 (a3) A parent or any other person providing care to or supervision of a child less
18 than 16 years of age who intentionally inflicts or intentionally permits any extreme

1 debilitating injury upon or to the child or who intentionally commits or intentionally
2 permits an assault upon the child which results in any extreme debilitating injury to the
3 child is guilty of a Class C felony. For the purpose of this section, "extreme debilitating
4 injury" means injury that creates or causes one or more of the following:

- 5 (1) A substantial risk of death;
- 6 (2) Serious permanent disfigurement;
- 7 (3) Coma;
- 8 (4) A permanent or protracted condition resulting in extreme pain;
- 9 (5) Permanent or protracted loss or impairment of the function of any
10 bodily member or organ or any mental or emotional function; or
- 11 (6) Prolonged hospitalization.

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

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