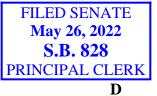
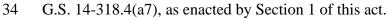
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2021



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SENATE BILL DRS15423-MLa-136

	Short Title:	Ch	ild Abuse - Positive Drug Test.	(Public)
	Sponsors:	Sei	nator Edwards (Primary Sponsor).	
	Referred to:			
1			A BILL TO BE ENTITLED	
2	AN ACT 7	ΓΟ ΜΑ	AKE IT FELONY CHILD ABUSE IF A CHILD TESTS POSITIV	'E FOR
3	CERTA	CERTAIN CONTROLLED SUBSTANCES AND TO APPROPRIATE FUNDS TO THE		
4	DEPARTMENT OF PUBLIC SAFETY.			
5	The General Assembly of North Carolina enacts:			
6	SECTION 1. G.S. 14-318.4 reads as rewritten:			
7	"§ 14-318.4. Child abuse a felony.			
8	••••		·	
9	<u>(a7)</u>	A pare	ent or any other person providing care to or supervision of a child less	than 10
10		-	se child tests positive for a controlled substance during the course of t	
11	• •		nd the presence of the controlled substance is not due to medical tr	
12	-		ministered by a licensed health care professional, is guilty of one	
13	following:			
14		(1)	A Class C felony if the presence of the controlled substance in the chil	d's body
15			results in (i) serious bodily injury to the child or (ii) permanent or pr	•
16			loss or impairment of any mental or emotional function of the child.	
17		(2)	A Class E felony if the presence of the controlled substance in the child	d's body
18		<u>, , ,</u>	results in serious physical injury to the child.	<u>/</u>
19		(3)	A Class G felony for any other violation of this section.	
20				
21		The fo	llowing definitions apply in this section:	
22	• •	(1)	Controlled substance. – A controlled substance classified in Schedul	e I or II
23			under Article 5 of Chapter 90 of the General Statutes.	
24		(1a)	Serious bodily injury. – Bodily injury that creates a substantial risk	of death
25		<u> </u>	or that causes serious permanent disfigurement, coma, a perma	
26			protracted condition that causes extreme pain, or permanent or protract	
27			or impairment of the function of any bodily member or organ, or tha	
28			in prolonged hospitalization.	
29		(2)	Serious physical injury. – Physical injury that causes great pain and su	uffering.
30			The term includes serious mental injury."	U
31		SECT	ION 2. There is appropriated from the General Fund to the Depart	ment of
32			sum of twenty-five thousand dollars (\$25,000) in nonrecurring funds	
33			year to be used to educate the public about the law set f	
24	C = 14,219,4(27), as an extend by Section 1 of this set			





General Assembly Of North Carolina

SECTION 3. Section 1 of this act becomes effective December 1, 2022, and applies
to offenses committed on or after that date. The remainder of this act becomes effective July 1,

3 2022.