

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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HOUSE BILL 83  
PROPOSED COMMITTEE SUBSTITUTE H83-PCS10174-SA-3

Short Title: Revise Laws Governing Minors.

(Public)

Sponsors:

Referred to:

February 11, 2025

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE OFFENSE OF DISSEMINATING OBSCENITY TO MINORS;  
3 TO ADD THE OFFENSES OF DISSEMINATING OBSCENITY TO MINORS,  
4 DISSEMINATING HARMFUL MATERIAL TO MINORS, AND EXHIBITING  
5 HARMFUL PERFORMANCES TO MINORS TO THE LIST OF CRIMINAL  
6 CONVICTIONS THAT MAY REQUIRE REGISTRATION UNDER THE SEX  
7 OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAM; AND TO  
8 ESTABLISH THE OFFENSES OF HABITUAL INDECENT EXPOSURE AND  
9 AGGRAVATED HABITUAL INDECENT EXPOSURE AND REQUIRE SEX  
10 OFFENDER REGISTRATION FOR THOSE OFFENSES.

11 The General Assembly of North Carolina enacts:

12 **SECTION 1.** G.S. 14-190.7 reads as rewritten:

13 "**§ 14-190.7. Dissemination to minors under the age of 16 years.**minors.

14 (a) Offense and Punishment. – Every person 18 years of age or older ~~who is guilty of a~~  
15 Class H felony if the person knowingly disseminates to any minor under the age of 16 years any  
16 material which he the person knows or reasonably should know to be obscene within the meaning  
17 of G.S. 14-190.1 shall be guilty of a Class H felony and the person is at least four years older  
18 than the minor.

19 (b) Registration. – When a person is convicted of a violation of this section, the  
20 sentencing court shall consider whether the person is a danger to the community and whether  
21 requiring the person to register as a sex offender pursuant to Article 27A of this Chapter would  
22 further the purposes of that Article as stated in G.S. 14-208.5. If the sentencing court rules that  
23 the person is a danger to the community and that the person shall register, then an order shall be  
24 entered requiring the person to register."

25 **SECTION 2.** G.S. 14-190.8 reads as rewritten:

26 "**§ 14-190.8. Dissemination to minors under the age of 13 years.**

27 (a) Offense and Punishment. – Every person 18 years of age or older who knowingly  
28 disseminates to any minor under the age of 13 years any material which ~~he the person~~ knows or  
29 reasonably should know to be obscene within the meaning of G.S. 14-190.1 ~~shall be punished as~~  
30 is guilty of a Class G felon.~~felony.~~

31 (b) Registration. – When a person is convicted of a violation of this section, the  
32 sentencing court shall consider whether the person is a danger to the community and whether  
33 requiring the person to register as a sex offender pursuant to Article 27A of this Chapter would  
34 further the purposes of that Article as stated in G.S. 14-208.5. If the sentencing court rules that  
35 the person is a danger to the community and that the person shall register, then an order shall be  
36 entered requiring the person to register."



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1           **SECTION 3.** G.S. 14-190.15 reads as rewritten:

2   "**§ 14-190.15. Disseminating harmful material to minors; exhibiting harmful performances**  
3   **to minors.**

4       (a)   Disseminating Harmful Material. – A person commits the offense of disseminating  
5   harmful material to minors if, with or without consideration and knowing the character or content  
6   of the material, ~~he~~the person does either of the following:

7           (1)   Sells, furnishes, presents, or distributes to a minor material that is harmful to  
8               ~~minors; or~~minors.

9           (2)   Allows a minor to review or peruse material that is harmful to minors.

10       (b)   Exhibiting Harmful Performance. – A person commits the offense of exhibiting a  
11   harmful performance to a minor if, with or without consideration and knowing the character or  
12   content of the performance, ~~he~~the person allows a minor to view a live performance that is  
13   harmful to minors.

14       ...

15       (c)   Registration. – When a person is convicted of a violation of this section, the  
16   sentencing court shall consider whether the person is a danger to the community and whether  
17   requiring the person to register as a sex offender pursuant to Article 27A of this Chapter would  
18   further the purposes of that Article as stated in G.S. 14-208.5. If the sentencing court rules that  
19   the person is a danger to the community and that the person shall register, then an order shall be  
20   entered requiring the person to register."

21           **SECTION 4.** G.S. 14-190.9 reads as rewritten:

22   "**§ 14-190.9. Indecent exposure.**

23       (a)   Unless the conduct is ~~punishable under subsection (a1) of this section, prohibited by~~  
24   ~~another law providing greater punishment,~~ any person who shall willfully expose the private parts  
25   of his or her person in any public place and in the presence of any other person or persons, except  
26   for those places designated for a public purpose where the same sex exposure is incidental to a  
27   permitted activity, or aids or abets in any such act, or who procures another to perform such act;  
28   or any person, who as owner, manager, lessee, director, promoter or agent, or in any other  
29   capacity knowingly hires, leases or permits the land, building, or premises of which ~~he~~the person  
30   is owner, lessee or tenant, or over which ~~he~~the person has control, to be used for purposes of any  
31   such act, ~~shall be~~is guilty of a Class 2 misdemeanor.

32       (a1)   Unless the conduct is prohibited by another law providing greater punishment, any  
33   person at least 18 years of age who shall willfully expose the private parts of his or her person in  
34   any public place in the presence of a minor as defined in G.S. 14-190.13 for the purpose of  
35   arousing or gratifying sexual desire ~~shall be~~is guilty of a Class H felony. An offense committed  
36   under this subsection shall not be considered to be a lesser included offense under G.S. 14-202.1.

37       (a2)   Unless the conduct is prohibited by another law providing greater punishment, any  
38   person who shall willfully expose the private parts of his or her person in the presence of anyone  
39   other than a consenting adult on the private premises of another or so near thereto as to be seen  
40   from such private premises for the purpose of arousing or gratifying sexual desire is guilty of a  
41   Class 2 misdemeanor.

42       (a4)   Unless the conduct is punishable by another law providing greater punishment, any  
43   person at least 18 years of age who shall willfully expose the private parts of his or her person in  
44   a private residence of which they are not a resident and in the presence of a minor as defined in  
45   G.S. 14-190.13 who is a resident of that private residence ~~shall be~~is guilty of a Class 2  
46   misdemeanor.

47       (a5)   Unless the conduct is prohibited by another law providing greater punishment, any  
48   person located in a private place who shall willfully expose the private parts of his or her person  
49   with the knowing intent to be seen by a person in a public place ~~shall be~~is guilty of a Class 2  
50   misdemeanor.

1       (a6) A person commits the offense of habitual indecent exposure if that person commits a  
2 violation of subsection (a), (a2), (a4), or (a5) of this section and has two or more prior convictions  
3 under any combination of subsection (a), (a1), (a2), (a4), or (a5) of this section. A person  
4 convicted of violating this subsection is guilty of a Class F felony.

5       (a7) A person commits the offense of aggravated habitual indecent exposure if that person  
6 commits a violation of subsection (a1) of this section and has two or more prior convictions under  
7 any combination of subsection (a), (a1), (a2), (a4), or (a5) of this section. A person convicted of  
8 violating this subsection is guilty of a Class E felony.

9       ...."

10       **SECTION 5.** G.S. 14-208.6(4) is amended by adding a new sub-subdivision to read:

11               "g.   A final conviction for a violation of G.S. 14-190.7, 14-190.8, or  
12 14-190.15, only if the court sentencing the individual issues an order  
13 pursuant to the applicable provision of G.S. 14-190.7, 14-190.8, or  
14 14-190.15, requiring the individual to register."

15       **SECTION 6.** G.S. 14-208.6(5) reads as rewritten:

16       "(5)   Sexually violent offense. – A violation of former G.S. 14-27.6 (attempted rape  
17       or sexual offense), G.S. 14-27.21 (first-degree forcible rape), G.S. 14-27.22  
18       (second-degree forcible rape), G.S. 14-27.23 (statutory rape of a child by an  
19       adult), G.S. 14-27.24 (first-degree statutory rape), G.S. 14-27.25(a) (statutory  
20       rape of a person who is 15 years of age or younger and where the defendant is  
21       at least six years older), G.S. 14-27.26 (first-degree forcible sexual offense),  
22       G.S. 14-27.27 (second-degree forcible sexual offense), G.S. 14-27.28  
23       (statutory sexual offense with a child by an adult), G.S. 14-27.29 (first-degree  
24       statutory sexual offense), G.S. 14-27.30(a) (statutory sexual offense with a  
25       person who is 15 years of age or younger and where the defendant is at least  
26       six years older), G.S. 14-27.31 (sexual activity by a substitute parent or  
27       custodian), G.S. 14-27.32 (sexual activity with a student), G.S. 14-27.33  
28       (sexual battery), G.S. 14-43.11 (human trafficking) if (i) the offense is  
29       committed against a minor who is less than 18 years of age or (ii) the offense  
30       is committed against any person with the intent that they be held in sexual  
31       servitude, G.S. 14-43.13 (subjecting or maintaining a person for sexual  
32       servitude), G.S. 14-178 (incest between near relatives), G.S. 14-190.6  
33       (employing or permitting minor to assist in offenses against public morality  
34       and decency), G.S. 14-190.9(a1) (felonious indecent exposure),  
35       G.S. 14-190.9(a6) (habitual indecent exposure), G.S. 14-190.9(a7)  
36 (aggravated habitual indecent exposure), G.S. 14-190.16 (first degree sexual  
37 exploitation of a minor), G.S. 14-190.17 (second degree sexual exploitation  
38 of a minor), G.S. 14-190.17A (third degree sexual exploitation of a minor),  
39 G.S. 14-190.17C (obscene visual representation of sexual exploitation of a  
40 minor), G.S. 14-202.1 (taking indecent liberties with children), G.S. 14-202.3  
41 (Solicitation of child by computer or certain other electronic devices to  
42 commit an unlawful sex act), G.S. 14-202.4(a) (taking indecent liberties with  
43 a student), G.S. 14-205.2(c) or (d) (patronizing a prostitute who is a minor or  
44 has a mental disability), G.S. 14-205.3(b) (promoting prostitution of a minor  
45 or a person who has a mental disability), G.S. 14-318.4(a1) (parent or  
46 caretaker commit or permit act of prostitution with or by a juvenile), or  
47 G.S. 14-318.4(a2) (commission or allowing of sexual act upon a juvenile by  
48 parent or guardian). The term also includes the following: a solicitation or  
49 conspiracy to commit any of these offenses; aiding and abetting any of these  
50 offenses."

1                   **SECTION 7.** Prosecutions for offenses committed before the effective date of this  
2 act are not abated or affected by this act, and the statutes that would be applicable but for this act  
3 remain applicable to those prosecutions.  
4                   **SECTION 8.** This act becomes effective December 1, 2025, and applies to offenses  
5 committed on or after that date.