

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40122-ML-70

Short Title: Revise Laws on Domestic & Child Abuse. (Public)

Sponsors: Representative Blackwell.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO ALLOW A JUDGE TO ISSUE A PERMANENT NO CONTACT ORDER
AGAINST A DEFENDANT CONVICTED OF CERTAIN VIOLENT OFFENSES AND
TO PROVIDE THAT IT IS FELONY CHILD ABUSE FOR ANY PERSON PROVIDING
CARE TO OR SUPERVISION OF A CHILD LESS THAN SIXTEEN YEARS OF AGE TO
COMMIT OR ALLOW THE COMMISSION OF A SEXUAL ACT UPON THE CHILD.

The General Assembly of North Carolina enacts:

**PART I. ALLOWING JUDGE TO ISSUE A PERMANENT NO CONTACT ORDER
AGAINST A DEFENDANT CONVICTED OF CERTAIN VIOLENT OFFENSES**

SECTION 1.(a) Article 81D of Chapter 15A of the General Statutes reads as
rewritten:

"Article 81D.

"Permanent No Contact Order Against Convicted ~~Sex~~-Violent Offender.

**"§ 15A-1340.50. Permanent no contact order prohibiting future contact by convicted ~~sex~~
violent offender with crime victim.**

(a) The following definitions apply in this Article:

(1) Permanent no contact order. – A permanent injunction that prohibits any
contact by a defendant with the victim of the ~~sex-violent~~ offense for which the
defendant is ~~convicted~~-convicted, or with the victim's immediate family. The
duration of the injunction is the lifetime of the defendant.

(2) ~~Sex offense. – Any criminal offense that requires registration under Article
27A of Chapter 14 of the General Statutes.~~

(3) Victim. – The person against whom the ~~sex-violent~~ offense was committed.

(4) Violent offense. – Any of the following:

a. A criminal offense that requires registration under Article 27A of
Chapter 14 of the General Statutes.

b. A Class A through G felony that is not otherwise covered under
sub-subdivision a. of this subdivision.

c. An offense under subsection (b) of G.S. 14-32.4.

(b) When sentencing a defendant convicted of a ~~sex-violent~~ offense, the judge, at the
request of the district attorney, shall determine whether to issue a permanent no contact order.
The judge shall order the defendant to show cause why a permanent no contact order shall not be
issued and shall hold a show cause hearing as part of the sentencing procedures for the defendant.

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(e) At the conclusion of the show cause hearing the judge shall enter a finding for or against the defendant. If the judge determines that reasonable grounds exist for the victim to fear any future contact with the defendant, the judge shall issue the permanent no contact order. The judge shall enter written findings of fact and the grounds on which the permanent no contact order is issued. The no contact order shall be incorporated into the judgment imposing the sentence on the defendant for the conviction of the ~~sex-violent~~ offense.

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SECTION 1.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

PART II. CLARIFYING CHANGES TO FELONY CHILD ABUSE LAWS

SECTION 2.(a) 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 D felony, except as otherwise provided in subsection (a3) of this section.

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

(a2) ~~Any A parent or legal guardian of any other person providing care to or supervision of a child less than 16 years of age who commits or allows the commission of any sexual act upon the child is guilty of a Class D felony.~~

(a3) 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 bodily injury to the child or who intentionally commits an assault upon the child which results in any serious bodily injury to the child, or which results in permanent or protracted loss or impairment of any mental or emotional function of the child, is guilty of a Class B2 felony.

(a4) A parent or any other person providing care to or supervision of a child less than 16 years of age who, for the purpose of causing fear, emotional injury, or deriving sexual gratification, intentionally and routinely (i) inflicts physical injury on that child and (ii) deprives that child of necessary food, clothing, shelter, or proper physical care is guilty of a Class B2 felony.

~~(a4)(a5)~~ A parent or any other person providing care to or supervision of a child less than 16 years of age whose willful act or grossly negligent omission in the care of the child shows a reckless disregard for human life is guilty of a Class E felony if the act or omission results in serious bodily injury to the child.

~~(a5)(a7)~~ A parent or any other person providing care to or supervision of a child less than 16 years of age whose willful act or grossly negligent omission in the care of the child shows a reckless disregard for human life is guilty of a Class G felony if the act or omission results in serious physical injury to the child.

~~(a6) For purposes of this section, a "grossly negligent omission" in providing care to or supervision of a child includes the failure to report a child as missing to law enforcement as provided in G.S. 14-318.5(b).~~

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

(c) Abandonment of an infant less than seven days of age pursuant to G.S. 14-322.3 may be treated as a mitigating factor in sentencing for a conviction under this section involving that infant.

(d) The following definitions apply in this section:

(1) Grossly negligent omission. – In the context of providing care to or supervision of a child, this term includes the failure to report a child as missing to law enforcement as provided in G.S. 14-318.5(b).

(2) Serious bodily injury. – Bodily injury that creates a substantial risk of death or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization.

~~(2)~~(3) Serious physical injury. – Physical injury that causes great pain and suffering. The term includes serious mental injury."

SECTION 2.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

PART III. SAVINGS CLAUSE & EFFECTIVE DATE

SECTION 3.(a) Prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

SECTION 3.(b) Except as otherwise provided, this act is effective when it becomes law.