

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1301
Committee Substitute Favorable 6/21/96

Short Title: Abduction From Legal Custodian.

(Public)

Sponsors:

Referred to:

May 23, 1996

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT IT IS A CLASS F FELONY TO ABDUCT A CHILD FROM ANY PERSON, AGENCY, OR INSTITUTION LAWFULLY ENTITLED TO THE CHILD'S CUSTODY AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-41 reads as rewritten:

"§ 14-41. Abduction of children.

~~If anyone shall abduct or by any means induce any child under the age of fourteen years, who shall reside with its father, mother, uncle, aunt, brother or elder sister, or shall reside at a school, or be an orphan and reside with a guardian, to leave such person or school, he shall be punished as a Class F felon.~~

(a) Any person who, without legal justification or defense, abducts or induces any minor child to leave any person, agency, or institution lawfully entitled to the child's custody, placement, or care shall be guilty of a Class F felony.

(b) The provisions of this section shall not apply to any public officer or employee in the performance of his or her duty."

Sec. 2. This act becomes effective January 1, 1997, and applies to offenses committed on or after that date.