

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 745
HOUSE BILL 1301

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 who is at least four years younger than the person 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.

In the General Assembly read three times and ratified this the 21st day of June, 1996.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives