

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

H

1

HOUSE BILL 554

Short Title: Assault Disabled Person/Institutional Setting-AB (Public)

Sponsors: Representatives Insko; Alexander, Fisher, Harrison, McGee, Wainwright,
and Womble.

Referred to: Judiciary I.

March 12, 2007

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE CRIMINAL PENALTY FOR ASSAULT ON A
2 PATIENT IN A HEALTH CARE FACILITY OR RESIDENT OF A
3 RESIDENTIAL CARE FACILITY WHEN THE CONDUCT EVINCES A
4 PATTERN OF BEHAVIOR, IS WILLFUL OR CULPABLY NEGLIGENT, AND
5 CAUSES BODILY INJURY TO THE PATIENT OR RESIDENT.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 14-32.2(b) reads as rewritten:

9 "(b) Unless the conduct is prohibited by some other provision of law providing for
10 greater punishment,

11 (1) A violation of subsection (a) above is a Class C felony where
12 intentional conduct proximately causes the death of the patient or
13 resident;

14 (2) A violation of subsection (a) above is a Class E felony where culpably
15 negligent conduct proximately causes the death of the patient or
16 resident;

17 (3) A violation of subsection (a) above is a Class F felony where such
18 conduct is willful or culpably negligent and proximately causes serious
19 bodily injury to the patient or ~~resident~~ resident;

20 (4) A violation of subsection (a) is a ~~Class A1 misdemeanor~~ Class F
21 felony where such conduct evinces a pattern of conduct and the
22 conduct is willful or culpably negligent and proximately causes bodily
23 injury to a patient or resident."

24 **SECTION 2.** This act becomes effective December 1, 2007, and applies to
25 offenses committed on or after that date.