

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 546

Short Title: Infant Abduction Penalty.

(Public)

Sponsors: Representatives Arnold; Albertson, Bowie, Cromer, Culp, Decker, Diggs, Esposito, L. Etheridge, Flaherty, Fussell, Grady, Lail, Ligon, Lineberry, Tart, and Wood.

Referred to: Judiciary.

March 13, 1989

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR THE ABDUCTION OR CONSPIRACY TO ABDUCT A CHILD WHO IS ONE YEAR OR LESS IN AGE.

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 G felon. Provided, however, that the abduction or inducement of a child who is one year old or less to leave the relative with whom it resides, guardian, school, or a hospital or similar facility that has care of the child shall be punishable as a Class D felony."

Sec. 2. G.S. 14-42 reads as rewritten:

"§ 14-42. Conspiring to abduct children.

If anyone shall conspire to abduct, or by any means to induce any child under the age of fourteen years, who shall reside with any of the persons designated in G.S. 14-41, or shall reside at school, to leave such persons or the school, he shall be punished as a Class G felon. If anyone shall conspire to abduct, or by any means to induce any child who is one year old or less who shall reside with any of the persons designated in G.S. 14-41, or shall reside at school, or is in the care of a hospital, to leave such person, school, or hospital, he shall be punished as a Class D felon. Provided, that no one who

1 may be a nearer blood relation to the child than the persons named in G.S. 14-41 shall  
2 be indicted for either of said offenses."

3           Sec. 3. This act shall become effective October 1, 1989, and shall apply to  
4 offenses occurring on or after date. This act shall not be construed to repeal or amend  
5 the law of this State now in effect with reference to trial, conviction, sentence, or  
6 punishment of any person for the crime of abduction of children or the crime of  
7 conspiring to abduct children committed prior to October 1, 1989.