

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE DRH30264-LH-122 (03/08)

Short Title: Reckless Assault of a Child. (Public)

Sponsors: Representatives Wray, Glazier, Insko, and M. Alexander (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE CRIMINAL OFFENSE OF RECKLESS ASSAULT OF A
3 CHILD.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 8 of Chapter 14 of the General Statutes is amended by adding
6 a new section to read:

7 "**§ 14-32.5. Reckless assault of a child.**

8 (a) Definition. – For purposes of this section, the term "serious bodily injury" means
9 either of the following:

10 (1) Serious bodily injury as defined in G.S. 14-318.4.

11 (2) Extreme rotational cranial acceleration and deceleration and one or more of
12 the following:

13 a. Subdural hemorrhaging.

14 b. Intracranial hemorrhaging.

15 c. Retinal hemorrhaging.

16 (b) Offense. – A person is guilty of reckless assault of a child if the person is 18 years
17 of age or more and recklessly causes serious bodily injury to the brain of a child less than five
18 years old by shaking the child, or by slamming or throwing the child so as to impact the child's
19 head on a hard surface or object.

20 (c) Penalty. – Unless the conduct is covered under some other provision of law
21 providing greater punishment, a person who commits reckless assault of a child is guilty of a
22 Class D felony."

23 **SECTION 2.** This act becomes effective December 1, 2011, and applies to
24 offenses committed on or after that date.

