

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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HOUSE BILL 506

Short Title: Chemical Endangerment of a Child. (Public)

Sponsors: Representative Dobson.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Health, if favorable, Judiciary II

March 29, 2017

A BILL TO BE ENTITLED

AN ACT TO CREATE THE FELONY OFFENSE OF CHEMICAL ENDANGERMENT OF  
A CHILD.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 39 of Chapter 14 of the General Statutes is amended by  
adding a new section to read:

**"§ 14-318.6. Chemical endangerment of a child; death of a child by chemical  
endangerment.**

(a) Intentional Chemical Endangerment of a Child. – Any person who intentionally  
causes or permits a child less than 16 years of age to ingest, inhale, or have contact with any  
controlled substance under Article 5 of Chapter 90 of the General Statutes (North Carolina  
Controlled Substances Act) is guilty of a Class D felony.

(b) Negligent Chemical Endangerment of a Child. – Any person who, in reckless  
disregard of the consequences of the action, causes or permits a child less than 16 years of age  
to ingest, inhale, or have contact with any controlled substance under Article 5 of Chapter 90 of  
the General Statutes (North Carolina Controlled Substances Act) is guilty of a Class G felony.

(c) Death of Child by Chemical Endangerment. – A person is guilty of a Class B1  
felony if all of the following apply:

(1) The person commits a violation of subsection (b) of this section and  
unintentionally causes the death of a child less than 16 years of age.

(2) The violation of subsection (b) of this section is the proximate cause of the  
death of the child.

(d) Affirmative Defense. – It is an affirmative defense to a violation of this section that  
the controlled substance was provided by lawful prescription for the child and that it was  
administered to the child in accordance with the prescription instructions provided with the  
controlled substance."

**SECTION 2.** This act becomes effective December 1, 2017, and applies to  
offenses committed on or after that date.

