

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 554  
Committee Substitute Favorable 3/26/07

Short Title: Assault Disabled Person/Institutional Setting-AB

(Public)

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Sponsors:

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Referred to:

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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.  
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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 H  
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.