

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-188
HOUSE BILL 554**

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

The General Assembly of North Carolina enacts:

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

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

- (1) A violation of subsection (a) above is a Class C felony where intentional conduct proximately causes the death of the patient or resident;
- (2) A violation of subsection (a) above is a Class E felony where culpably negligent conduct proximately causes the death of the patient or resident;
- (3) A violation of subsection (a) above is a Class F felony where such conduct is willful or culpably negligent and proximately causes serious bodily injury to the patient or ~~resident.~~ resident;
- (4) A violation of subsection (a) is a ~~Class A1 misdemeanor~~ Class H felony where such conduct evinces a pattern of conduct and the conduct is willful or culpably negligent and proximately causes bodily injury to a patient or resident."

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

In the General Assembly read three times and ratified this the 28th day of June, 2007.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 12:05 p.m. this 8th day of July, 2007