

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 699

Short Title: Elder Abuse & Neglect/Increase Punishment. (Public)

Sponsors: Representatives Pickett, Everitt, Setzer, and Cooper-Suggs (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Families, Children, and Aging Policy, if favorable, Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

April 28, 2021

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PUNISHMENT FOR THE ABUSE OR NEGLECT OF A  
DISABLED OR ELDER ADULT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-32.3 reads as rewritten:

"§ 14-32.3. **Domestic abuse, neglect, and exploitation of disabled or elder adults.**

(a) Abuse. – A person is guilty of abuse if that person is a caretaker of a disabled or elder adult who is residing in a domestic setting and, with malice aforethought, knowingly and willfully: (i) assaults, (ii) fails to provide medical or hygienic care, or (iii) confines or restrains the disabled or elder adult in a place or under a condition that is cruel or unsafe, and as a result of the act or failure to act the disabled or elder adult suffers mental or physical injury.

If the disabled or elder adult suffers serious injury from the abuse, the caretaker is guilty of a Class ~~F~~E felony. If the disabled or elder adult suffers injury from the abuse, the caretaker is guilty of a Class ~~H~~G felony.

A person is not guilty of an offense under this subsection if the act or failure to act is in accordance with G.S. 90-321 or G.S. 90-322.

(b) Neglect. – A person is guilty of neglect if that person is a caretaker of a disabled or elder adult who is residing in a domestic setting and, wantonly, recklessly, or with gross carelessness: (i) fails to provide medical or hygienic care, or (ii) confines or restrains the disabled or elder adult in a place or under a condition that is unsafe, and as a result of the act or failure to act the disabled or elder adult suffers mental or physical injury.

If the disabled or elder adult suffers serious injury from the neglect, the caretaker is guilty of a Class ~~G~~F felony. If the disabled or elder adult suffers injury from the neglect, the caretaker is guilty of a Class ~~I~~H felony.

A person is not guilty of an offense under this subsection if the act or failure to act is in accordance with G.S. 90-321 or G.S. 90-322.

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**SECTION 2.** This act becomes effective December 1, 2021, and applies to offenses committed on or after that date.

