

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 579
PROPOSED HOUSE COMMITTEE SUBSTITUTE S579-PCS45361-SA-31

Short Title: Prevent Harm to Children.

(Public)

Sponsors:

Referred to:

April 5, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE PUNISHMENT FOR DISSEMINATING OBSCENITY, TO
3 CLARIFY THE REGULATIONS ON ADULT LIVE ENTERTAINMENT, AND TO
4 PROHIBIT SEXUAL CONTACT WITH A MINOR.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 14-190.1(g) reads as rewritten:

7 "(g) ~~Violation~~ Except as otherwise provided in this subsection, a violation of this section
8 is a Class I felony. A violation of this section committed knowingly in the presence of an
9 individual under 18 years of age is a Class H felony."

10 **SECTION 2.** Article 26 of Chapter 14 of the General Statutes is amended by adding
11 a new section to read:

12 "**§ 14-190.15A. Restrictions on adult live entertainment.**

13 (a) Definitions. – The following definitions shall apply to this section:

14 (1) Adult live entertainment. – As defined by G.S. 14-202.10.

15 (2) Public property. – Any property, building, or portion of a property or building
16 owned, or leased by the State or any county, city, municipality, municipal
17 corporation, town, township, village, or other entity of local government.

18 (b) Offense. – It is unlawful for a person to do any of the following:

19 (1) Engage in adult live entertainment on public property.

20 (2) Engage in adult live entertainment knowing, or having reason to know, that
21 individuals under the age of 18 are present.

22 (3) Expend public funds (i) to adult live entertainment performers, (ii) for an event
23 at which adult live entertainment is performed, or (iii) to promote adult live
24 entertainment or an event at which adult live entertainment will be performed.

25 (c) Punishment. – A person who violates subsection (b) of this section is guilty of a Class
26 A1 misdemeanor for the first offense. A person who violates subsection (b) of this section is
27 guilty of a Class I felony for a second or subsequent offense."

28 **SECTION 3.** Article 26 of Chapter 14 of the General Statutes is amended by adding
29 a new section to read:

30 "**§ 14-202.1A. Sexual contact with a minor.**

31 (a) Definition. – The following definitions shall apply to this section:

32 (1) Intimate parts. – A person's sexual organ, anus, breast, groin, or buttocks.

33 (2) Sexual contact. – Any of the following intentional touching, if the intentional
34 touching can reasonably be construed as being for the purpose of sexual
35 arousal or gratification, done for a sexual purpose, or done in a sexual manner:



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- 1 a. The intentional touching of a person's intimate parts or the intentional
- 2 touching of the clothing covering the person's intimate parts.
- 3 b. The intentional touching of another person with a person's own
- 4 intimate parts, whether or not those intimate parts are clothed.
- 5 (b) Offense. – Unless the conduct is covered under some other provision of law providing
- 6 greater punishment, a person is guilty of sexual contact with a minor if, being 18 years of age or
- 7 more, the person engages in sexual contact with a minor.
- 8 (c) Punishment. – A person who violates subsection (b) of this section is guilty of a Class
- 9 A1 misdemeanor."
- 10 **SECTION 4.** This act becomes effective December 1, 2023, and applies to offenses
- 11 committed on or after that date.