

NORTH CAROLINA GENERAL ASSEMBLY
1975 SESSION

CHAPTER 335
HOUSE BILL 404

AN ACT TO PROHIBIT THE BUYING AND SELLING OF CHILDREN FOR ADOPTION
AND TO PROHIBIT ADVERTISEMENTS SOLICITING CHILDREN FOR ADOPTION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 48 of the General Statutes is hereby amended by adding the following section immediately following G.S. 48-36, to be numbered G.S. 48-37, and to read as follows:

"§ 48-37. Compensation for placing or arranging placement of child for adoption prohibited. — No person, agency, association, corporation, institution, society or other organization, except a licensed child-placing agency as defined by G.S. 48-2(2), or a county department of social services, shall offer or give, charge or accept any fee, compensation, consideration or thing of value for receiving or placing, arranging the placement of, or assisting in placing or arranging the placement of, any child for adoption. The act of preparing and filing the adoption proceeding before the court shall not be construed as receiving or placing, arranging the placement of, or assisting in placing or arranging the placement of, any child for adoption. Any person who violates any provision of this section shall be guilty of a misdemeanor, and upon conviction or plea of guilty shall be fined or imprisoned or both at the discretion of the court. Any person who is convicted of or pleads guilty to a second or subsequent violation of this section shall be guilty of a felony and shall be imprisoned for not more than three years or fined not more than ten thousand dollars (\$10,000) or both at the discretion of the court."

Sec. 2. Chapter 48 of the General Statutes is further amended by adding the following section, immediately following G.S. 48-37 to be numbered G.S. 48-38, and to read as follows:

"§ 48-38. Advertisements soliciting children for adoption prohibited. — No person, agency, association, corporation, institution, society or other organization, except a licensed child-placing agency as defined in G.S. 48-2(2), or a county department of social services, shall publish, transmit, broadcast, or otherwise distribute any advertisement of any type whatsoever which solicits the receiving or placing of children for adoption, or which solicits the custody of children. Any person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction or plea of guilty shall be fined or imprisoned or both at the discretion of the court."

Sec. 3. This act shall become effective on July 1, 1975.

In the General Assembly read three times and ratified, this the 19th day of May, 1975.