

§ 14-318.2. Child abuse a misdemeanor.

(a) Any parent of a child less than 16 years of age, or any other person providing care to or supervision of such child, who inflicts physical injury, or who allows physical injury to be inflicted, or who creates or allows to be created a substantial risk of physical injury, upon or to such child by other than accidental means is guilty of the Class A1 misdemeanor of child abuse.

(b) The Class A1 misdemeanor of child abuse is an offense additional to other civil and criminal provisions and is not intended to repeal or preclude any other sanctions or remedies.

(c) A parent who abandons an infant less than 30 days of age pursuant to G.S. 14-322.3 shall not be prosecuted under this section for any acts or omissions related to the care of that infant.

(d) Any parent of a child less than 18 years of age, or any other person providing care to or supervision of the child, is not guilty of a violation of this section for raising a child consistent with the child's biological sex, including referring to a child consistent with the child's biological sex, and making related mental health or medical decisions based on the child's biological sex. Nothing in this subsection shall be construed to authorize or allow any other acts or omissions that would constitute a violation under this section, including the infliction of serious physical injury or the creation of a substantial risk of physical injury. (1965, c. 472, s. 1; 1971, c. 710, s. 6; 1993, c. 539, s. 223; 1994, Ex. Sess., c. 14, s. 13; c. 24, s. 14(c); 2001-291, s. 4; 2008-191, s. 1; 2009-570, s. 6; 2025-4, s. 5.4(a); 2025-59, s. 2(a).)