

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 83
Committee Substitute Favorable 3/11/25

Short Title: Revise Laws Governing Minors.

(Public)

Sponsors:

Referred to:

February 11, 2025

A BILL TO BE ENTITLED

AN ACT TO AMEND THE OFFENSE OF DISSEMINATING OBSCENITY TO MINORS;
TO ADD THE OFFENSES OF DISSEMINATING OBSCENITY TO MINORS,
DISSEMINATING HARMFUL MATERIAL TO MINORS, AND EXHIBITING
HARMFUL PERFORMANCES TO MINORS TO THE LIST OF CRIMINAL
CONVICTIONS THAT MAY REQUIRE REGISTRATION UNDER THE SEX
OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAM; AND TO
ESTABLISH THE OFFENSES OF HABITUAL INDECENT EXPOSURE AND
AGGRAVATED HABITUAL INDECENT EXPOSURE AND REQUIRE SEX
OFFENDER REGISTRATION FOR THOSE OFFENSES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-190.7 reads as rewritten:

"§ 14-190.7. Dissemination to minors under the age of 16 years. minors.

(a) Offense and Punishment. – Every person 18 years of age or older ~~who is guilty of a~~ Class H felony if the person knowingly disseminates to any minor under the age of 16 years any
material which he the person knows or reasonably should know to be obscene within the meaning
of G.S. 14-190.1 shall be guilty of a Class H felony and the person is at least four years older
than the minor.

(b) Registration. – When a person is convicted of a violation of this section, the
sentencing court shall consider whether the person is a danger to the community and whether
requiring the person to register as a sex offender pursuant to Article 27A of this Chapter would
further the purposes of that Article as stated in G.S. 14-208.5. If the sentencing court rules that
the person is a danger to the community and that the person shall register, then an order shall be
entered requiring the person to register."

SECTION 2. G.S. 14-190.8 reads as rewritten:

"§ 14-190.8. Dissemination to minors under the age of 13 years.

(a) Offense and Punishment. – Every person 18 years of age or older who knowingly
disseminates to any minor under the age of 13 years any material which ~~he the person~~ knows or
reasonably should know to be obscene within the meaning of G.S. 14-190.1 ~~shall be punished as~~
is guilty of a Class G felon, felony.

(b) Registration. – When a person is convicted of a violation of this section, the
sentencing court shall consider whether the person is a danger to the community and whether
requiring the person to register as a sex offender pursuant to Article 27A of this Chapter would
further the purposes of that Article as stated in G.S. 14-208.5. If the sentencing court rules that
the person is a danger to the community and that the person shall register, then an order shall be
entered requiring the person to register."



SECTION 3. G.S. 14-190.15 reads as rewritten:

"§ 14-190.15. Disseminating harmful material to minors; exhibiting harmful performances to minors.

(a) Disseminating Harmful Material. – A person commits the offense of disseminating harmful material to minors if, with or without consideration and knowing the character or content of the material, ~~he; the person~~ does either of the following:

(1) Sells, furnishes, presents, or distributes to a minor material that is harmful to ~~minors; or minors.~~

(2) Allows a minor to review or peruse material that is harmful to minors.

(b) Exhibiting Harmful Performance. – A person commits the offense of exhibiting a harmful performance to a minor if, with or without consideration and knowing the character or content of the performance, ~~he; the person~~ allows a minor to view a live performance that is harmful to minors.

...

(c) Registration. – When a person is convicted of a violation of this section, the sentencing court shall consider whether the person is a danger to the community and whether requiring the person to register as a sex offender pursuant to Article 27A of this Chapter would further the purposes of that Article as stated in G.S. 14-208.5. If the sentencing court rules that the person is a danger to the community and that the person shall register, then an order shall be entered requiring the person to register."

SECTION 4. G.S. 14-190.9 reads as rewritten:

"§ 14-190.9. Indecent exposure.

(a) Unless the conduct is ~~punishable under subsection (a1) of this section, prohibited by another law providing greater punishment,~~ any person who shall willfully expose the private parts of his or her person in any public place and in the presence of any other person or persons, except for those places designated for a public purpose where the same sex exposure is incidental to a permitted activity, or aids or abets in any such act, or who procures another to perform such act; or any person, who as owner, manager, lessee, director, promoter or agent, or in any other capacity knowingly hires, leases or permits the land, building, or premises of which ~~he; the person~~ is owner, lessee or tenant, or over which ~~he; the person~~ has control, to be used for purposes of any such act, ~~shall be~~ is guilty of a Class 2 misdemeanor.

(a1) Unless the conduct is prohibited by another law providing greater punishment, any person at least 18 years of age who shall willfully expose the private parts of his or her person in any public place in the presence of a minor as defined in G.S. 14-190.13 for the purpose of arousing or gratifying sexual desire ~~shall be~~ is guilty of a Class H felony. An offense committed under this subsection shall not be considered to be a lesser included offense under G.S. 14-202.1.

(a2) Unless the conduct is prohibited by another law providing greater punishment, any person who shall willfully expose the private parts of his or her person in the presence of anyone other than a consenting adult on the private premises of another or so near thereto as to be seen from such private premises for the purpose of arousing or gratifying sexual desire is guilty of a Class 2 misdemeanor.

(a4) Unless the conduct is punishable by another law providing greater punishment, any person at least 18 years of age who shall willfully expose the private parts of his or her person in a private residence of which they are not a resident and in the presence of a minor as defined in G.S. 14-190.13 who is a resident of that private residence ~~shall be~~ is guilty of a Class 2 misdemeanor.

(a5) Unless the conduct is prohibited by another law providing greater punishment, any person located in a private place who shall willfully expose the private parts of his or her person with the knowing intent to be seen by a person in a public place ~~shall be~~ is guilty of a Class 2 misdemeanor.

(a6) A person commits the offense of habitual indecent exposure if that person commits a violation of subsection (a), (a2), (a4), or (a5) of this section and has two or more prior convictions under any combination of subsection (a), (a1), (a2), (a4), or (a5) of this section. A person convicted of violating this subsection is guilty of a Class F felony.

(a7) A person commits the offense of aggravated habitual indecent exposure if that person commits a violation of subsection (a1) of this section and has two or more prior convictions under any combination of subsection (a), (a1), (a2), (a4), or (a5) of this section. A person convicted of violating this subsection is guilty of a Class E felony.

...."

SECTION 5. G.S. 14-208.6(4) is amended by adding a new sub-subdivision to read:

"g. A final conviction for a violation of G.S. 14-190.7, 14-190.8, or 14-190.15, only if the court sentencing the individual issues an order pursuant to the applicable provision of G.S. 14-190.7, 14-190.8, or 14-190.15, requiring the individual to register."

SECTION 6. G.S. 14-208.6(5) reads as rewritten:

"(5) Sexually violent offense. – A violation of former G.S. 14-27.6 (attempted rape or sexual offense), G.S. 14-27.21 (first-degree forcible rape), G.S. 14-27.22 (second-degree forcible rape), G.S. 14-27.23 (statutory rape of a child by an adult), G.S. 14-27.24 (first-degree statutory rape), G.S. 14-27.25(a) (statutory rape of a person who is 15 years of age or younger and where the defendant is at least six years older), G.S. 14-27.26 (first-degree forcible sexual offense), G.S. 14-27.27 (second-degree forcible sexual offense), G.S. 14-27.28 (statutory sexual offense with a child by an adult), G.S. 14-27.29 (first-degree statutory sexual offense), G.S. 14-27.30(a) (statutory sexual offense with a person who is 15 years of age or younger and where the defendant is at least six years older), G.S. 14-27.31 (sexual activity by a substitute parent or custodian), G.S. 14-27.32 (sexual activity with a student), G.S. 14-27.33 (sexual battery), G.S. 14-43.11 (human trafficking) if (i) the offense is committed against a minor who is less than 18 years of age or (ii) the offense is committed against any person with the intent that they be held in sexual servitude, G.S. 14-43.13 (subjecting or maintaining a person for sexual servitude), G.S. 14-178 (incest between near relatives), G.S. 14-190.6 (employing or permitting minor to assist in offenses against public morality and decency), G.S. 14-190.9(a1) (felonious indecent exposure), G.S. 14-190.9(a6) (habitual indecent exposure), G.S. 14-190.9(a7) (aggravated habitual indecent exposure), G.S. 14-190.16 (first degree sexual exploitation of a minor), G.S. 14-190.17 (second degree sexual exploitation of a minor), G.S. 14-190.17A (third degree sexual exploitation of a minor), G.S. 14-190.17C (obscene visual representation of sexual exploitation of a minor), G.S. 14-202.1 (taking indecent liberties with children), G.S. 14-202.3 (Solicitation of child by computer or certain other electronic devices to commit an unlawful sex act), G.S. 14-202.4(a) (taking indecent liberties with a student), G.S. 14-205.2(c) or (d) (patronizing a prostitute who is a minor or has a mental disability), G.S. 14-205.3(b) (promoting prostitution of a minor or a person who has a mental disability), G.S. 14-318.4(a1) (parent or caretaker commit or permit act of prostitution with or by a juvenile), or G.S. 14-318.4(a2) (commission or allowing of sexual act upon a juvenile by parent or guardian). The term also includes the following: a solicitation or conspiracy to commit any of these offenses; aiding and abetting any of these offenses."

1 **SECTION 7.** Prosecutions for offenses committed before the effective date of this
2 act are not abated or affected by this act, and the statutes that would be applicable but for this act
3 remain applicable to those prosecutions.

4 **SECTION 8.** This act becomes effective December 1, 2025, and applies to offenses
5 committed on or after that date.