



2025-2026 General Assembly

SENATE BILL 429: 2025 Public Safety Act, Sec 1: Create Criminal Offense for Exposing a Child to a Controlled Substance

Analysis of: S.L. 2025-70, Sec 1

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Prepared by: Legislative Analysis
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Section 1 of S.L. 2025-70 (Senate Bill 429) creates new criminal offenses for exposing a child under the age of 16 to a controlled substance. Any person who "knowingly, intentionally, or with reckless disregard for human life" causes or permits a child to be exposed to a controlled substance is guilty of a felony.

The classification of offense is determined by the degree of harm caused, as follows:

- Causing exposure – Class H felony.
- Causing exposure resulting in the child ingesting the controlled substance – Class E felony.
- If the ingestion results in serious physical injury – Class D felony.
 - Serious physical injury is physical injury that causes great pain and suffering, including serious mental injury.
- If the ingestion results in serious bodily injury – Class C felony.
 - Serious bodily injury is bodily injury that creates a substantial risk of death or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization.
- If the ingestion is the proximate cause of death – Class B1 felony.

The offense does not apply to a person that intentionally gives a child a controlled substance that has been prescribed for the child by a licensed medical professional when given to the child in the prescribed amount and manner.

This section becomes effective December 1, 2025, and applies to offenses on or after that date.

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