



SENATE BILL 442: Parents Protection Act.

2025-2026 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	May 6, 2025
Introduced by:	Sens. Burgin, Galey, Sawrey	Prepared by:	Robert Ryan*
Analysis of:	First Edition		Staff Attorney

OVERVIEW: Senate Bill 442 would do the following:

- *Amend Article 1 of Subchapter I of Chapter 7B of the General Statutes to provide that a parent, guardian, custodian, or caretaker who raises or refers to a child consistent with the child's biological sex would not be subject to a petition alleging abuse or neglect based on those acts only. This limitation could not be construed to authorize or allow any other act or omission that would constitute child abuse or neglect.*
- *Amend G.S. 48-3-203 to prohibit an adoption agency from denying or delaying the opportunity to become an adoptive parent or the placement of a child for adoption because of an adoptive parents' refusal, unwillingness, or lack of support to enable the child to engage in gender transition.*
- *Amend G.S. 131D-10.1 to provide that raising a foster child consistent with their biological sex, including mental health and medical decisions, would not violate the safe foster home free of violence, abuse, neglect, or danger provision of the statute and that a foster parents' refusal, unwillingness, or lack of support to enable the child to engage in gender transition cannot be a basis to deny or delay approval as a foster parent or placement of the child in foster care.*
- *Amend G.S. 14-318.2 and G.S. 14-318.4 to provide that a parent or other person providing care or supervision of a child less than 16 years old who is raising or referring to the child consistent with the child's biological sex would not be guilty of misdemeanor child abuse.*
- *Amend G.S. 14-318.4(d)(2) to provide that serious mental injury does not include a parent raising a child consistent with the child's biological sex.*

CURRENT LAW and BILL ANALYSIS:

Sections 1.(a) and (b) Article 1 of Subchapter I of Chapter 7B of the General Statutes would be amended to provide that that a parent, guardian, custodian, or caretaker who raises or refers to a child consistent with the child's biological sex would not be subject to a petition alleging abuse or neglect based on those acts only. This limitation could not be construed to authorize or allow any other act or omission that would constitute child abuse or neglect.

Section 1.(c) G.S. 48-3-203(a1) prohibits an adoption agency from denying or delaying an opportunity to become an adoptive parent or placement of a child for adoption based on race, color, or national origin of the adoptive parent(s) or the child. An adoptive parents' refusal, unwillingness, or lack of support to enable the child to engage in gender transition would also be a prohibited reason for denying or delaying approval to adopt or placement for adoption.

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Section 1.(d) G.S. 131D-10.1(a)(1) promotes that in the provision of foster care, the foster home should be free from violence, abuse, neglect, and danger. The act would provide that raising a child consistent with the child's biological sex would not violate this provision.

G.S. 131D-10.1(a1) prohibits an agency or other State entity from denying or delaying approval as a foster parent or placement in foster care on the basis of race, color, or national origin. A foster parents' refusal, unwillingness, or lack of support to enable the child to engage in gender transition would also be a prohibited reason for denying or delaying approval to foster or placement in foster care.

Section 1.(e) Section 1 of this act would become effective on December 1, 2025 and apply to petitions filed on or after that date.

Sections 2.(a), (b), and (c). G.S. 14-318.2 (Child abuse a misdemeanor) and G.S. 14-318.4 (Child abuse a felony) would be amended to provide that a parent or other person providing care or supervision of a child less than 16 years old who is raising or referring to the child consistent with the child's biological sex would not be guilty of misdemeanor or felony child abuse. G.S. 14-318.4(d)(2) would be amended to provide that serious mental injury does not include a parent raising a child consistent with the child's biological sex. These changes would not authorize or allow any other acts or omissions that are a violation under the statutes. These sections would become effective December 1, 2025, and apply to offenses committed on or after this date.

EFFECTIVE DATE: Except as otherwise provided, the act would become effective December 1, 2025.

* Debbie Griffiths, Staff Attorney with LAD, substantially contributed to this summary.