



# SENATE BILL 442: Parents Protection Act.

2025-2026 General Assembly

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<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	June 18, 2025
<b>Introduced by:</b>	Sens. Burgin, Galey, Sawrey	<b>Prepared by:</b>	Debbie Griffiths Staff Attorney
<b>Analysis of:</b>	Second Edition		

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## **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. 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 18 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.

**Section 1.(d)** Subsection (b) of Section 1 of this act would become effective when it becomes law and would apply to petitions filed before, on, or after that date. Subsection (c) of Section 1 of this act would become effective when it becomes law and would apply to petitions and placements for adoptions and opportunities to become adoptive parents requested, filed, or submitted before, on, or after that date. The remainder of Section 1 would become effective when it becomes law.

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**Sections 2.(a) and (b)** 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 18 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.

**Section 2.(c)** Section 2 of this act would become effective July 1, 2025, and would apply to offenses committed on, before, or after that date.

**Section 3.** Except as otherwise provided, the act would become effective when it becomes law.

\* Robert Ryan, Staff Attorney with LAD, substantially contributed to this summary.