



CHAPTER 19
ARTICLE 2 - CIVIL REMEDY FOR SALES OF HARMFUL MATERIALS TO MINORS

N.C.G.S. § 19-12.

Definitions.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 1215, s. 1 — first act in the lineage	21 September 2026, 02:51 UTC	f9542a3880d9c0ae97625634 - 7d0e6d832430fb92ae773857 - 649cc1ea4b7af47d

As used within this Article, the following definitions shall apply:

"Harmful Material".-

- a.Any picture, photograph, drawing, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct or sadomasochistic abuse, and which is harmful to minors, or
- b.Any book, pamphlet, magazine, or printed matter however reproduced which contains any matter enumerated in subparagraph a of this subdivision or which contains explicit or detailed verbal descriptions or accounts of sexual excitement, sexual conduct or sadomasochistic abuse, and which, taken as a whole, is harmful to minors.

"Harmful to minors". - That quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:

- a.Predominantly appeals to the prurient, shameful or morbid interest of minors, and
- b.Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable materials for minors, and
- c.Is utterly without redeeming social importance for minors.

"Knowledge of the Minor's Age".-

- a.Knowledge or information that the person is a minor, or
- b.Reason to know, or a belief or ground for belief which warrants further inspection or inquiry as to, the age of the minor.

"Knowledge of the Nature of the Material".-

a.Knowledge of the character and content of any material described herein, or

b.Knowledge or information that the material described herein has been adjudged to be harmful to minors in a proceeding instituted pursuant to this Article, or is the subject of a pending proceeding instituted pursuant to this Article.

"Minor".-Any person under the age of 18 years.

"Nudity".-The showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

"Person".-Any individual, partnership, firm, association, corporation or other legal entity.

"Sadomasochistic abuse".-Flagellation or torture by or upon a person clad in undergarments, a mask or a bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

"Sexual conduct".-Acts of masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, breast.

"Sexual excitement".-The condition of human male or female genitals when in a state of sexual stimulation or arousal.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
1 ACT

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1969 1970			
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1969	c. 1215, s. 1	ENACTED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 19-12 (1969).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1969, c. 1215, s. 1.)

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