

FAILED



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 153**

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

S153-ACEa-6 [v.6]

Page 1 of 5

Amends Title [YES]
First Edition

Date _____, 2025

Senator Murdock

1 moves to amend the bill on page 1, line 8, by adding the following at the end of the line and
2 before the period:

3 "AND TO PROVIDE FUNDING OBLIGATIONS AND AN ALLOCATION OF FUNDS FOR
4 STATE AND LOCAL COOPERATION WITH FEDERAL IMMIGRATION
5 AUTHORITIES AND TO CREATE A NEW OFFENSE FOR IMPERSONATING AN ICE
6 AGENT AND TO PROHIBIT IMMIGRATION ENFORCEMENT AT PLACES OF
7 RELIGIOUS WORSHIP AND TO PROTECT HUMAN TRAFFICKING VICTIMS FROM
8 IMMIGRATION ACTIONS";
9

10 and on page 2, lines 38-40, by rewriting the lines to read:

11 "(4) No later than August 1, 2025, report the Memorandum of Agreement and
12 departmental policies required by this section, and all costs associated with
13 the Memorandum of Agreement and departmental policies, to the Joint
14 Legislative Oversight Committee on Justice and Public Safety.";
15

16 and on page 3, lines 17-19, by rewriting the lines to read:

17 "(4) No later than August 1, 2025, report the Memorandum of Agreement and
18 departmental policies required by this section, and all costs associated with
19 the Memorandum of Agreement and departmental policies, to the Joint
20 Legislative Oversight Committee on Justice and Public Safety.";
21

22 and on page 3, lines 49-51, by rewriting the lines to read:

23 "(4) No later than August 1, 2025, report the Memorandum of Agreement and
24 departmental policies required by this section, and all costs associated with
25 the Memorandum of Agreement and departmental policies, to the Joint
26 Legislative Oversight Committee on Justice and Public Safety.";
27

28 and on page 4, lines 31-33, by rewriting the lines to read:

29 "(4) No later than August 1, 2025, report the Memorandum of Agreement and
30 departmental policies required by this section, and all costs associated with
31 the Memorandum of Agreement and departmental policies, to the Joint
32 Legislative Oversight Committee on Justice and Public Safety.



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SECTION 1.(e1) The General Assembly shall provide funding either through allocation or reimbursement for all costs associated with compliance with this section.";

and on page 4, lines 37-38, by inserting the following between the lines:

"**SECTION 1.1(a).** G.S. 14-277 reads as rewritten:

"§ 14-277. Impersonation of a law-enforcement or other public officer.

...

(b) No person shall, while falsely representing to another that he is a sworn law-enforcement officer, carry out any act in accordance with the authority granted to a law-enforcement officer. For purposes of this section, an act in accordance with the authority granted to a law-enforcement officer includes:

- (1) Ordering any person to remain at or leave from a particular place or ~~area~~area.
- (2) Detaining or arresting any ~~person~~person.
- (3) Searching any vehicle, building, or premises, whether public or private, with or without a search warrant or administrative inspection ~~warrant~~warrant.
- (4) Unlawfully operating a vehicle on a public street or highway or public vehicular area equipped with an operating red light or siren in such a manner as to cause a reasonable person to yield the right-of-way or to stop his vehicle in obedience to such red light or ~~siren~~siren.
- (5) Unlawfully operating a vehicle on a public street or highway or public vehicular area equipped with an operating blue light in such a manner as to cause a reasonable person to yield the right-of-way or to stop his vehicle in obedience to such blue light.
- (6) Verbally informing another person or displaying any badge or identification signifying to a reasonable individual that the person is an agent of the Immigration and Customs Enforcement of the United States Department of Homeland Security (ICE) or any law-enforcement officer working under the direction of an ICE agent.

...

(d1) Violations under this section are punishable as follows:

- (1) A violation of subdivision (a)(1), (2), or (3) is a Class 1 misdemeanor.
- (2) A violation of subdivision (b)(1), (2), (3), or (4) is a Class 1 misdemeanor. Notwithstanding the disposition in G.S. 15A-1340.23, the court may impose an intermediate punishment on a person sentenced under this subdivision.
- (3) A violation of subdivision (a)(4) is a Class I felony.
- (4) A violation of subdivision (b)(5) is a Class H felony.
- (5) A violation of subdivision (b)(6) is a Class E felony. Notwithstanding any other provisions of Article 81B of Chapter 15A of the General Statutes, the court must impose a minimum active punishment of five years.

...."

SECTION 1.1(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

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1 **SECTION 1.2.(a)** G.S. 128-1.1(c1) reads as rewritten:

2 "(c1) Where authorized by federal law, any State or local law enforcement agency may
3 authorize its law enforcement officers to also perform the functions of an officer under 8 U.S.C.
4 § 1357(g) if the agency has a Memorandum of Agreement or Memorandum of Understanding
5 for that purpose with a federal agency. State and local law enforcement officers authorized under
6 this provision are authorized to hold any office or position with the applicable federal agency
7 required to perform the described functions. However, no State or local law enforcement agency
8 may authorize its law enforcement officers to conduct immigration enforcement actions in any
9 place of religious worship, as that term is defined in G.S. 14-277.7. This prohibition shall be
10 documented in the required Memorandum of Agreement or Memorandum of Understanding.
11 Any law enforcement officer operating under a Memorandum of Agreement or Memorandum of
12 Understanding shall be required to take a training course designed to identify the signs of a human
13 trafficking as defined in Article 10A of Chapter 14 of the General Statutes."

14 **SECTION 1.2.(b)** This section is effective when it becomes law.

15 **SECTION 1.3.(a)** G.S. 14-43.20 reads as rewritten:

16 **"§ 14-43.20. Mandatory restitution; victim services; forfeiture.**

17 (a) Repealed by Session Laws 2018-75, s. 4(a), effective December 1, 2018.

18 (b) Restitution. – Restitution for a victim is mandatory under this Article. At a minimum,
19 the court shall order restitution in an amount equal to the value of the victim's labor as guaranteed
20 under the Minimum Wage Law and overtime provisions of the Fair Labor Standards Act (FLSA).
21 In addition, the judge may order any other amount of loss identified, including the gross income
22 or value to the defendant of the victim's labor or services and any costs reasonably certain to be
23 incurred by or on behalf of the victim for medical care, psychological treatment, temporary
24 housing, transportation, funeral services, and any other services designed to assist a victim
25 recover from any injuries or loss resulting from an offense committed under G.S. 14-43.11,
26 14-43.12, or 14-43.13.

27 (c) Trafficking Victim Services. – Subject to the availability of funds, the Department of
28 Health and Human Services may provide or fund emergency services and assistance to
29 individuals who are victims of one or more offenses under G.S. 14-43.11, 14-43.12, or 14-43.13.

30 (d) Certification. – The Attorney General, a district attorney, or any law enforcement
31 official shall certify in writing to the United States Department of Justice or other federal agency,
32 such as the United States Department of Homeland Security, that an investigation or prosecution
33 under this Article for a violation of G.S. 14-43.11, 14-43.12, or 14-43.13 has begun and the
34 individual who is a likely victim of one of those crimes is willing to cooperate or is cooperating
35 with the investigation to enable the individual, if eligible under federal law, to qualify for an
36 appropriate special immigrant visa and to access available federal benefits. Cooperation with law
37 enforcement shall not be required of victims who are under 18 years of age. This certification
38 shall be made available to the victim and the victim's designated legal representative.
39 Notwithstanding any other provision of law, no law enforcement officer shall detain any victim
40 because the victim may not be a legal resident or citizen of the United States or its territories.

41 (e) Forfeiture. – A person who commits a violation of G.S. 14-43.11, 14-43.12, or
42 14-43.13 is subject to the property forfeiture provisions set forth in G.S. 14-2.3.

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(f) Escheat. – If a judge finds that the victim to whom restitution is due under this Article is unavailable to claim the restitution award, then the judge shall order the restitution be made payable to the clerk of superior court in the county in which the conviction for the offense requiring restitution occurred. If the victim fails to claim the restitution award within two years of the date of the restitution order issued by the judge, the clerk shall remit the restitution proceeds to the Crime Victims Compensation Fund established pursuant to G.S. 15B-23. Notwithstanding any provision of G.S. 15B-23 to the contrary, funds remitted to the Crime Victims Compensation Fund shall be used only to provide aid to victims who are (i) worthy and needy as determined by the Crime Victims Compensation Commission and (ii) enrolled in public institutions of higher education of this State.

(g) Other assistance. – Any law enforcement officer who has identified a person as a victim shall refer the victim to the North Carolina Crime Victim Assistance Network for related legal and social support services."

SECTION 1.3.(b) This section is effective when it becomes law.

SECTION 1.4(a) G.S. 162-62 is amended by adding a new subsection to read:

"(e) No later than August 1, 2025, and thereafter annually by August 1, the administrator or other person in charge of the facility shall report all costs associated with compliance with this section to the Joint Legislative Oversight Committee on Justice and Public Safety. The General Assembly shall provide funding either through allocation or reimbursement for all costs associated with compliance with this section."

SECTION 1.4.(b) This section is effective when it becomes law.";

and on page 6, lines 25-26, by inserting the following between the lines:

"PART IV.5 ALLOCATION OF FUNDS

SECTION 4.5(a) There is appropriated from the General Fund to the Department of Public Safety the sum of ten million dollars (\$10,000,000) in recurring funds beginning in the 2025-2026 fiscal year to be distributed as grants to local governments for any increase in costs incurred from complying with the provisions set forth in House Bill 10 of the 2023 Regular Session. The Department shall develop and implement a process for local governments to use to apply for the grant funds authorized in this section, including developing requirements the local government must satisfy in order to qualify for funding.

SECTION 4.5(b) There is appropriated from the General Fund to the Department of Public Safety the sum of two million dollars (\$2,000,000) in recurring funds beginning in the 2025-2026 fiscal year for costs incurred from complying with the provisions set forth in section 1 of this Act.

SECTION 4.5(c) There is appropriated from the General Fund to the Department of Adult Correction the sum of two million dollars (\$2,000,000) in recurring funds beginning in the 2025-2026 fiscal year for costs incurred from complying with the provisions set forth in section 1 of this Act.

SECTION 4.5(d) There is appropriated from the General Fund to the State Highway Patrol the sum of two million dollars (\$2,000,000) in recurring funds beginning in the 2025-2026 fiscal year for costs incurred from complying with the provisions set forth in section 1 of this Act.

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- 1 **SECTION 4.5(e)** There is appropriated from the General Fund to the State Bureau
2 of Investigation the sum of two million dollars (\$2,000,000) in recurring funds beginning in the
3 2025-2026 fiscal year for costs incurred from complying with the provisions set forth in section
4 1 of this Act.
5 **SECTION 4.5(f)** This section is effective July 1, 2025."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**