

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 429
PROPOSED COMMITTEE SUBSTITUTE S429-PCS15319-CE-6

Short Title: 2025 Public Safety Act.

(Public)

Sponsors:

Referred to:

March 25, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES RELATED TO THE CRIMINAL LAWS OF
3 NORTH CAROLINA.

4 The General Assembly of North Carolina enacts:

5
6 **CREATE NEW CRIMINAL OFFENSE FOR EXPOSING A CHILD TO A**
7 **CONTROLLED SUBSTANCE**

8 **SECTION 1.(a)** Article 39 of Chapter 14 of the General Statutes is amended by
9 adding a new section to read:

10 "**§ 14-318.7. Exposing a child to a controlled substance.**

11 (a) Definitions. – The following definitions apply in this section:

12 (1) Child. – Any person who is less than 16 years of age.

13 (2) Controlled substance. – A controlled substance, controlled substance
14 analogue, drug, marijuana, narcotic drug, opiate, opioid, opium poppy, poppy
15 straw, or targeted controlled substance, all as defined in G.S. 90-87.

16 (3) Ingest. – Any means used to take into the body, to eat or drink, or otherwise
17 consume or absorb into the body in any way.

18 (b) A person who knowingly, intentionally, or with reckless disregard for human life
19 causes or permits a child to be exposed to a controlled substance is guilty of a Class H felony.

20 (c) A person who knowingly, intentionally, or with reckless disregard for human life
21 causes or permits a child to be exposed to a controlled substance and, as a result, the child ingests
22 the controlled substance is guilty of a Class E felony.

23 (d) A person who knowingly, intentionally, or with reckless disregard for human life
24 causes or permits a child to be exposed to a controlled substance and, as a result, the child ingests
25 the controlled substance, resulting in serious physical injury as defined in G.S. 14-318.4, is guilty
26 of a Class D felony.

27 (e) A person who knowingly, intentionally, or with reckless disregard for human life
28 causes or permits a child to be exposed to a controlled substance and, as a result, the child ingests
29 the controlled substance, resulting in serious bodily injury as defined in G.S. 14-318.4, is guilty
30 of a Class C felony.

31 (f) A person who knowingly, intentionally, or with reckless disregard for human life
32 causes or permits a child to be exposed to a controlled substance and, as a result, the child ingests
33 the controlled substance, and the ingestion is the proximate cause of death, is guilty of a Class
34 B1 felony.

35 (g) The punishments set forth in subsections (b) through (f) of this section apply unless
36 the conduct is covered under some other provision of law providing greater punishment.



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1 (h) This section does not apply to a person that intentionally gives a child a controlled
2 substance that has been prescribed for the child by a licensed medical professional when given
3 to the child in the prescribed amount and manner."

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

6
7 **INCREASE PUNISHMENT FOR POSSESSING A FIREARM OR WEAPON OF MASS**
8 **DEATH AND DESTRUCTION BY A FELON DURING THE COMMISSION OR**
9 **ATTEMPTED COMMISSION OF A FELONY**

10 **SECTION 2.(a)** G.S. 14-415.1 reads as rewritten:

11 **"§ 14-415.1. Possession of firearms, etc., by felon prohibited.**

12 (a) It ~~shall be~~ is unlawful for any person who has been convicted of a felony to purchase,
13 own, possess, or have in ~~his~~ the person's custody, care, or control any firearm or any weapon of
14 mass death and destruction as defined in G.S. 14-288.8(c). For the purposes of this section, a
15 firearm is (i) any weapon, including a starter gun, which will or is designed to or may readily be
16 converted to expel a projectile by the action of an explosive, or its frame or receiver, or (ii) any
17 firearm muffler or firearm silencer. This section does not apply to an antique firearm, as defined
18 in G.S. 14-409.11.

19 Every person violating the provisions of this ~~section shall be punished as~~ subsection is guilty
20 of a Class G ~~felon~~ felony.

21 (a1) A person who violates subsection (a) of this section during the commission or
22 attempted commission of a felony under (i) this Chapter or (ii) Article 5 of Chapter 90 of the
23 General Statutes is guilty of a Class F felony.

24 (a2) A person who violates subsection (a) of this section and brandishes a firearm or a
25 weapon of mass death and destruction during the commission or attempted commission of a
26 felony under (i) this Chapter or (ii) Article 5 of Chapter 90 of the General Statutes is guilty of a
27 Class D felony. For the purposes of this subsection, to brandish is to display all or part of the
28 firearm or weapon of mass death and destruction or otherwise make the presence of the firearm
29 or weapon of mass death and destruction known to another person.

30 (a3) A person who violates subsection (a) of this section and discharges a firearm or a
31 weapon of mass death and destruction during the commission or attempted commission of a
32 felony under (i) this Chapter or (ii) Article 5 of Chapter 90 of the General Statutes is guilty of a
33 Class C felony.

34 (b) Prior convictions which cause disenfranchisement under this section shall only include:

- 35 (1) Felony convictions in North Carolina that occur before, on, or after December
36 1, 1995; and
37 (2) Repealed by Session Laws 1995, c. 487, s. 3, effective December 1, 1995.
38 (3) Violations of criminal laws of other states or of the United States that occur
39 before, on, or after December 1, 1995, and that are substantially similar to the
40 crimes covered in subdivision (1) which are punishable where committed by
41 imprisonment for a term exceeding one year.

42 When a person is charged under this section, records of prior convictions of any offense, whether
43 in the courts of this State, or in the courts of any other state or of the United States, shall be
44 admissible in evidence for the purpose of proving a violation of this section. The term
45 "conviction" is defined as a final judgment in any case in which felony punishment, or
46 imprisonment for a term exceeding one year, as the case may be, is authorized, without regard to
47 the plea entered or to the sentence imposed. A judgment of a conviction of the defendant or a
48 plea of guilty by the defendant to such an offense certified to a superior court of this State from
49 the custodian of records of any state or federal court shall be prima facie evidence of the facts so
50 certified.

1 (c) The indictment charging the defendant under the terms of this section shall be separate
2 from any indictment charging him with other offenses related to or giving rise to a charge under
3 this section. An indictment which charges the person with violation of this section must set forth
4 the date that the prior offense was committed, the type of offense and the penalty therefor, and
5 the date that the defendant was convicted or plead guilty to such offense, the identity of the court
6 in which the conviction or plea of guilty took place and the verdict and judgment rendered
7 therein.

8 (d) This section does not apply to a person who, pursuant to the law of the jurisdiction in
9 which the conviction occurred, has been pardoned or has had his or her firearms rights restored
10 if such restoration of rights could also be granted under North Carolina law.

11 (e) This section does not apply and there is no disentitlement under this section if the
12 felony conviction is a violation under the laws of North Carolina, another state, or the United
13 States that pertains to antitrust violations, unfair trade practices, or restraints of trade."

14 **SECTION 2.(b)** This section becomes effective December 1, 2025, and applies to
15 offenses committed on or after that date.

16
17 **REVISE LAWS PERTAINING TO THE DISCLOSURE AND RELEASE OF AUTOPSY**
18 **INFORMATION COMPILED OR PREPARED BY THE OFFICE OF THE CHIEF**
19 **MEDICAL EXAMINER**

20 **SECTION 3.(a)** G.S. 130A-385 reads as rewritten:

21 "**§ 130A-385. Duties of medical examiner upon receipt of notice; reports; copies.**

22 ...

23 (d) Upon request by the district attorney, the Office of the Chief Medical Examiner, the
24 local medical examiner, and the autopsy center, as applicable, shall provide a complete copy of
25 the medical examiner investigation file to the appropriate district attorney. For purposes of this
26 subsection, the "medical examiner investigation file" means the finalized toxicology report, the
27 finalized autopsy report, any autopsy examination notes, any death scene notes, the finalized
28 report of investigation of a medical examiner, the case encounter form, any case comments, any
29 case notes, any autopsy photographs, any scene photographs, and any video or audio recordings
30 of the autopsy examination in the custody and control of the North Carolina Office of the Chief
31 Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical
32 examiner appointed under G.S. 130A-382, ~~or an investigating medical examiner-examiner, or an~~
33 autopsy center in connection with a death under criminal investigation by a public law
34 enforcement agency. Each records custodian shall be is responsible for providing the portions of
35 the medical examiner investigation file within its custody and control. This is a continuing
36 disclosure obligation, and each records custodian shall provide to the district attorney any records
37 or other materials responsive to the district attorney's request that are discovered or added to the
38 medical examiner investigation file after the request was made ~~shall also be provided to the~~
39 ~~district attorney. has been made.~~ The district attorney or investigating law enforcement agency
40 shall inform the Chief Medical Examiner, ~~the county medical examiner, or the autopsy center,~~
41 Examiner, the county medical examiner appointed under G.S. 130A-382, the investigating
42 medical examiner, and the autopsy center, as applicable, if when the death is no longer under
43 criminal investigation and the continuing disclosure obligation is has terminated.

44 (d1) Upon notice from the investigating public law enforcement agency or prosecuting
45 district attorney that a death is under criminal investigation or the subject of a criminal
46 prosecution, any records, worksheets, reports, photographs, tests, or analyses compiled, prepared,
47 or conducted by the Office of the Chief Medical Examiner, a pathologist designated by the Chief
48 Medical Examiner, a county medical examiner appointed under G.S. 130A-382, an investigating
49 medical examiner, or an autopsy center, including any autopsy photographs or video or audio
50 recordings, related to that death shall be treated as records of criminal investigations pursuant to
51 G.S. 132-1.4. Autopsy photographs or video or audio records subject to the provisions of this

1 subsection may only be disclosed or released pursuant to G.S. 130A-389.1. A finalized
2 toxicology report, finalized autopsy report, or finalized report of investigation of a medical
3 examiner subject to the provisions of this subsection may only be disclosed or released as follows
4 and recipients of reports pursuant to the following subdivisions may not disclose the reports to
5 the public unless otherwise authorized by law:

6 (1) The custodian of the finalized reports may release a copy at a time and location
7 determined by the custodial agency (i) to a personal representative of the
8 decedent's estate to enable the personal representative to fulfill his or her
9 duties under the law, (ii) to a beneficiary of a benefit or claim associated with
10 the decedent for purposes of receiving the benefit or resolving the claim, or
11 (iii) to the decedent's spouse, child or stepchild, parent or stepparent, sibling,
12 or legal guardian.

13 (2) The Office of the Chief Medical Examiner, a pathologist designated by the
14 Chief Medical Examiner, a county medical examiner appointed under
15 G.S. 130A-382, an investigating medical examiner, or an autopsy center is not
16 prohibited from disclosing or releasing information or reports when necessary
17 to conduct a thorough and complete death investigation, to consult with
18 outside physicians and other professionals during the death investigation, and
19 to conduct necessary toxicological screenings.

20 (3) When disclosing information to the investigating public law enforcement
21 agency or prosecuting district attorney.

22 (4) When disclosing or releasing information or reports is necessary (i) to address
23 public health or safety concerns, (ii) for public health purposes, including
24 public health surveillance, investigations, interventions, and evaluations, (iii)
25 to facilitate research, (iv) to comply with reporting requirements under State
26 or federal law or in connection with State or federal grants, or (v) to comply
27 with any other duties imposed by law.

28 (d2) Records and materials subject to the provisions of subsection (d1) of this section shall
29 continue to be records of criminal investigations pursuant to G.S. 132-1.4 until the Office of the
30 Chief Medical Examiner, county medical examiner, or autopsy center that is custodian of the
31 records receives notification from the investigating public law enforcement agency or the
32 prosecuting district attorney of the conclusion of the criminal investigation or prosecution or the
33 decision to terminate the criminal investigation of the death. The notification required by this
34 section shall be made on a form created by the Administrative Office of the Courts and completed
35 by either the investigating public law enforcement agency or the prosecuting district attorney.
36 The Chief Medical Examiner, county medical examiner, or autopsy center may rely on a
37 completed notification form conveyed by a third party. The Office of the Chief Medical Examiner
38 and its staff, the county medical examiner, and the autopsy center and its staff shall have no
39 criminal or civil liability for relying on a notice provided pursuant to this subsection.

40 (d3) Except as provided in subsection (d4) of this section, any records, worksheets, reports,
41 photographs, tests, or analyses compiled, prepared, or conducted by the Office of the Chief
42 Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical
43 examiner appointed under G.S. 130A-382, an investigating medical examiner, or an autopsy
44 center in connection with the death of a child who was under 18 years of age at the time of death,
45 including any autopsy photographs or video or audio recordings, are confidential and may be
46 disclosed or released only with the prior written consent of the deceased child's parent or guardian
47 or a person standing in loco parentis to the deceased child or as follows:

48 (1) The custodian of the finalized autopsy report may release a copy at a time and
49 location determined by the custodial agency to a personal representative of the
50 decedent's estate to enable the personal representative to fulfill his or her
51 duties under the law.

- 1 (2) The Office of the Chief Medical Examiner, a pathologist designated by the
2 Chief Medical Examiner, a county medical examiner appointed under
3 G.S. 130A-382, an investigating medical examiner, or an autopsy center is not
4 prohibited from disclosing or releasing information or reports when necessary
5 to address public health or safety concerns; for public health purposes,
6 including public health surveillance, investigations, interventions, and
7 evaluations; to facilitate research; to comply with reporting requirements
8 under State or federal law or in connection with State or federal grants; or to
9 comply with any other duties imposed by law.
- 10 (3) The custodian of the finalized autopsy report and any related documents shall,
11 upon request, release copies of the report and those documents to the surviving
12 spouse of the deceased, the deceased's parents, any adult children of the
13 deceased, any legal guardian or custodian of the deceased, any legal guardian
14 or custodian of a child of the deceased, or any person holding power of
15 attorney or healthcare attorney for the deceased.
- 16 (4) The legal representatives of any person authorized to receive records under
17 this section.

18 Notwithstanding the provisions of this subsection, any materials that are subject to the
19 provisions of subsection (d1) of this section may only be disclosed pursuant to that subsection
20 while the death is under criminal investigation by a public law enforcement agency or during the
21 pendency of criminal charges associated with a death.

22 (d4) When any records or materials are subject to the provisions of both subsections (d1)
23 and (d3) of this section, the records and materials shall not be disclosed or released except as
24 authorized by subsection (d1) of this section until the Office of the Chief Medical Examiner,
25 county medical examiner, or autopsy center that is custodian of the records or materials has
26 received notification of the conclusion of the criminal investigation or prosecution or the decision
27 to terminate the criminal investigation of the death pursuant to subsection (d2) of this section.

28 (d5) Any person who willfully and knowingly discloses or releases records or materials in
29 violation of subsection (d1) or (d3) of this section, or who willfully and knowingly possesses or
30 disseminates records or materials that were disclosed or released in violation of subsection (d1)
31 or (d3) of this section, is guilty of a Class 1 misdemeanor; provided, however, that more than one
32 occurrence of disclosure, release, possession, or dissemination of the same item by the same
33 person is not a separate offense. No person shall be guilty of a Class 1 misdemeanor under this
34 subsection for disclosing, releasing, possessing, or disseminating records or materials if, at the
35 time of the disclosure, release, possession, or dissemination, notice that the record or material is
36 record of a criminal investigation had not been provided as required by subsection (d1) of this
37 section. As used in this subsection, the term "disclose" means the act of making records or
38 materials available for viewing or listening by a person or entity upon request, at a time and
39 location chosen by the custodial agency, and the term "release" means the act of the custodial
40 agency in providing a copy of records or materials.

41 (d6) Any other person or entity seeking disclosure or release of records or materials
42 covered under subsection (d1) or (d3) of this section may commence a special proceeding in the
43 superior court of the county where the death that is the subject of the records or materials occurred
44 to obtain a court order for disclosure or release of the records or materials. The court may conduct
45 an in-camera review of the records or materials. Upon a showing of good cause, a superior court
46 judge may issue an order authorizing the disclosure or release of the records or materials and
47 may prescribe any restrictions or stipulations that the superior court judge deems appropriate.
48 The petitioner shall provide reasonable notice of the commencement of the special proceeding
49 and reasonable notice of the opportunity to be present and heard at any hearing on the matter in
50 accordance with Rule 5 of the Rules of Civil Procedure. The notice shall be provided, in writing,
51 to all of the following:

- 1 (1) The Office of the Chief Medical Examiner.
- 2 (2) The district attorney of the county in which the death occurred.
- 3 (3) The personal representative of the estate of the deceased, if any.
- 4 (4) If the record or material is subject to the provisions of subsection (d1) of this
5 section, the surviving spouse of the deceased. If there is no surviving spouse,
6 then the notice shall be provided to the deceased's parents, and if the deceased
7 has no living parent, then to the adult child of the deceased or to the guardian
8 or custodian of a minor child of the deceased.
- 9 (5) If the record or material is subject to the provisions of subsection (d2) of this
10 section, to the deceased child's parents or guardian, or to the person standing
11 in loco parentis to the deceased child.

12 In determining good cause, the judge shall consider whether the disclosure or release is
13 necessary for the public evaluation of governmental performance, the seriousness of the intrusion
14 into the family's right to privacy, whether the requested disclosure or release is the least intrusive
15 means available, the need to withhold the records to facilitate the investigation or prosecution of
16 criminal offenses, the rights of the defendant in any ongoing criminal investigation or
17 prosecution, the public interest in having access to the records or materials, and the availability
18 of similar information in other public records, regardless of form. A party aggrieved by an order
19 of the superior court authorized by this subsection may appeal in accordance with Article 27 of
20 Chapter 1 of the General Statutes.

21 (e) In cases where death occurred due to an injury received in the course of the decedent's
22 employment, the Chief Medical Examiner shall forward to the Commissioner of Labor a copy of
23 the medical examiner's report of the investigation, including the location of the fatal injury and
24 the name and address of the decedent's employer at the time of the fatal injury. The Chief Medical
25 Examiner shall forward this report within 30 days of receipt of the information from the medical
26 examiner. Upon written request by the Commissioner of Labor, the Chief Medical Examiner
27 shall provide the finalized autopsy report within five months of the date of the request.

28 (f) If a death occurred in a facility licensed subject to Article 2 or Article 3 of Chapter
29 122C of the General Statutes, or Articles 1 or 1A of Chapter 131D of the General Statutes, and
30 the deceased was a client or resident of the facility or a recipient of facility services at the time
31 of death, then the Chief Medical Examiner shall forward a copy of the medical examiner's report
32 to the Secretary of Health and Human Services within 30 days ~~of~~ after receipt of the report from
33 the medical examiner."

34 **SECTION 3.(b)** G.S. 130A-389(a) reads as rewritten:

35 "(a) The Chief Medical Examiner or a competent pathologist designated by the Chief
36 Medical Examiner shall perform an autopsy or other study in each of the following cases:

- 37 (1) If, in the opinion of the medical examiner investigating the case or of the Chief
38 Medical Examiner, it is advisable and in the public interest that an autopsy or
39 other study be made.
- 40 (2) If an autopsy or other study is requested by the district attorney of the county
41 or by any superior court judge.
- 42 (3) Notwithstanding subdivision (2) of this subsection, in any case in which the
43 district attorney of the county asserts to the Chief Medical Examiner or the
44 medical examiner of the county in which the body was located that there is
45 probable cause to believe that a violation of G.S. 14-18.4 has occurred, a
46 complete autopsy shall be performed. The district attorney has at least 72
47 weekday hours after pronouncement of death by a person authorized under
48 this Part to express the opinion that death has occurred to make the assertion
49 required by this subdivision, provided that the district attorney or the
50 investigating law enforcement agency provides notification within the first 24
51 hours after the pronouncement that such an assertion might be made. The

1 district attorney may, but is not required to, assert to the Chief Medical
2 Examiner the facts supporting probable cause to believe that a violation of
3 G.S. 14-18.4 has occurred.

4 A complete autopsy report of findings and interpretations, prepared on forms designated for
5 the purpose, shall be submitted promptly to the Chief Medical Examiner. Subject to the
6 limitations of G.S. 130A-389.1 relating to photographs and video or audio recordings of an
7 autopsy, a copy of the report shall be furnished to any person upon ~~request~~request unless the
8 report is protected from disclosure or release under subsection (d1) or (d3) of G.S. 130A-385."

9 **SECTION 3.(c)** G.S. 130A-389.1 reads as rewritten:

10 **"§ 130A-389.1. Photographs and video or audio recordings made pursuant to autopsy.**

11 (a) Except as otherwise provided by ~~law~~, law and excluding (i) any records or materials
12 treated as records of criminal investigations under G.S. 130A-385(d1) and (ii) any confidential
13 materials in connection with the death of a child who was under 18 years of age at the time of
14 death that a parent or guardian or person standing in loco parentis elects to protect from disclosure
15 or release under G.S. 130A-385(d3), any person may inspect and examine original photographs
16 or video or audio recordings of an autopsy performed pursuant to G.S. 130A-389(a) at reasonable
17 times and under reasonable supervision of the custodian of the photographs or recordings. Except
18 as otherwise provided by this section, no custodian of the original recorded images shall furnish
19 copies of photographs or video or audio recordings of an autopsy to the public. For purposes of
20 this section, the Chief Medical Examiner shall be the custodian of all autopsy photographs or
21 video or audio recordings unless the photographs or recordings were taken by or at the direction
22 of an investigating medical examiner and the investigating medical examiner retains the original
23 photographs or recordings. ~~If Except in cases in which the records or materials are protected from~~
24 disclosure or release under subsection (d1) or (d3) of G.S. 130A-385, if the investigating medical
25 examiner has retained the original photographs or recordings, then the investigating medical
26 examiner is the custodian of the photographs or video or audio recordings and ~~must~~shall allow
27 the public to inspect and examine them in accordance with this subsection.

28 ...

29 (d) A person who is denied access to copies of photographs or video or audio recordings,
30 or who is restricted in the use the person may make of the photographs or video or audio
31 recordings under this section, may commence a special proceeding in accordance with Article 33
32 of Chapter 1 of the General Statutes. Upon a showing of good cause, the clerk may issue an order
33 authorizing the person to copy or disclose a photograph or video or audio recording of an autopsy
34 and may prescribe any restrictions or stipulations that the clerk deems appropriate. In determining
35 good cause, the clerk shall consider whether the disclosure is necessary for the public evaluation
36 of governmental performance; the seriousness of the intrusion into the family's right to privacy
37 and whether the disclosure is the least intrusive means available; and the availability of similar
38 information in other public records, regardless of form. In all cases, the viewing, copying,
39 listening to, or other handling of a photograph or video or audio recording of an autopsy shall be
40 under the direct supervision of the Chief Medical Examiner or the Chief Medical Examiner's
41 designee. A party aggrieved by an order of the clerk may appeal to the appropriate court in
42 accordance with Article 27A of Chapter 1 of the General Statutes. This subsection does not apply
43 to autopsy photographs or video or audio recordings that are (i) treated as records of criminal
44 investigations under G.S. 130A-385(d1), which may be disclosed or released to other persons or
45 entities only in accordance with G.S. 130A-385(d2) or (d6), or (ii) of a deceased child that was
46 under 18 years of age at the time of death that a parent or guardian or person standing in loco
47 parentis elects to protect from disclosure or release under G.S. 130A-385(d3), which may be
48 disclosed or released to other persons or entities only with the prior consent of the deceased
49 child's parent or guardian or person standing in loco parentis, or in accordance with
50 G.S. 130A-385(d6).

51"

1 **SECTION 3.(d)** G.S. 132-1.8 reads as rewritten:

2 "**§ 132-1.8. Confidentiality of photographs and video or audio recordings made pursuant**
3 **to autopsy.**

4 Except as otherwise provided in G.S. 130A-389.1, a photograph or video or audio recording
5 of an official autopsy is not a public record as defined by G.S. 132-1. However, the text of an
6 official autopsy report, including any findings and interpretations prepared in accordance with
7 G.S. 130A-389(a), is a public record and fully accessible by the ~~public.~~ public, unless the report
8 is protected from disclosure or release under subsection (d1) or (d3) of G.S. 130A-385. For
9 purposes of this section, an official autopsy is an autopsy performed pursuant to
10 G.S. 130A-389(a)."

11 **SECTION 3.(e)** This section becomes effective October 1, 2025.

12
13 **INCREASE THE PUNISHMENT FOR COMMITTING THE OFFENSE OF**
14 **SOLICITATION OF MINORS BY COMPUTER**

15 **SECTION 4.(a)** G.S. 14-202.3(c) reads as rewritten:

16 "(c) Punishment. – A violation of this section is punishable as follows:

17 (1) ~~A-Except as otherwise provided in this subsection, a first violation of this~~
18 ~~section is a Class H felony except as provided by subdivision (2) of this~~
19 ~~subsection.~~ Class G felony. A second or subsequent violation of this section,
20 or a first violation of this section committed when the defendant had a prior
21 conviction in any federal or state court in the United States that is substantially
22 similar to the offense set forth in this section, is a Class E felony.

23 (2) If either the defendant, or any other person for whom the defendant was
24 arranging the meeting in violation of this section, actually appears at the
25 meeting location, then the violation is a ~~Class G felony.~~ Class D felony."

26 **SECTION 4.(b)** This section becomes effective December 1, 2025, and applies to
27 offenses committed on or after that date.

28
29 **REVISE THE LAW GOVERNING THE GRANTING OF IMMUNITY TO WITNESSES**

30 **SECTION 5.(a)** G.S. 15A-1052(b) reads as rewritten:

31 "(b) The application may be made whenever, in the judgment of the district attorney, the
32 witness has asserted or is likely to assert ~~his-the witness's~~ privilege against self-incrimination and
33 ~~his-the witness's~~ testimony or other information is or will be necessary to the public interest.
34 ~~Before making application to the judge, the district attorney must inform the Attorney General,~~
35 ~~or a deputy or assistant attorney general designated by him, of the circumstances and his intent~~
36 ~~to make an application."~~

37 **SECTION 5.(b)** G.S. 15A-1053(b) reads as rewritten:

38 "(b) The application may be made when the district attorney has been informed by the
39 foreman of the grand jury that the witness has asserted ~~his-the witness's~~ privilege against
40 self-incrimination and the district attorney determines that the testimony or other information is
41 necessary to the public interest. ~~Before making application to the judge, the district attorney must~~
42 ~~inform the Attorney General, or a deputy or assistant attorney general designated by him, of the~~
43 ~~circumstances and his intent to make an application."~~

44 **SECTION 5.(c)** This section is effective when it becomes law and applies to
45 applications made on or after that date.

46
47 **REQUIRE CERTAIN PETITIONS PERTAINING TO SEX OFFENDER**
48 **REGISTRATION BE PLACED ON THE CRIMINAL DOCKET**

49 **SECTION 6.(a)** G.S. 14-208.12A(a) reads as rewritten:

50 "**§ 14-208.12A. Request for termination of registration requirement.**

1 (a) Ten years from the date of initial county registration, a person required to register
2 under this Part may petition the superior court to terminate the 30-year registration requirement
3 if the person has not been convicted of a subsequent offense requiring registration under this
4 Article.

5 If the reportable conviction is for an offense that occurred in North Carolina, the petition shall
6 be filed in the district where the person was convicted of the offense.

7 If the reportable conviction is for an offense that occurred in another state, the petition shall
8 be filed in the district where the person resides. A person who petitions to terminate the
9 registration requirement for a reportable conviction that is an out-of-state offense shall also do
10 the following: (i) provide written notice to the sheriff of the county where the person was
11 convicted that the person is petitioning the court to terminate the registration requirement and (ii)
12 include with the petition at the time of its filing, an affidavit, signed by the petitioner, that verifies
13 that the petitioner has notified the sheriff of the county where the person was convicted of the
14 petition and that provides the mailing address and contact information for that sheriff.

15 Regardless of where the offense occurred, if the defendant was convicted of a reportable
16 offense in any federal court, the conviction will be treated as an out-of-state offense for the
17 purposes of this section.

18 The clerk of court, upon receipt of the petition, shall collect the applicable filing fee and place
19 the petition on the criminal docket to be calendared by the district attorney pursuant to
20 G.S. 7A-49.4."

21 **SECTION 6.(b)** G.S. 14-208.12B(b) reads as rewritten:

22 "(b) The petition shall be filed in the county in which the person resides using a form
23 created by the Administrative Office of the Courts. The petition must be filed with the clerk of
24 court within 30 days of the person's receipt of the notification of the requirement to register from
25 the sheriff. The person filing the petition must serve a copy of the petition on the office of the
26 district attorney and the sheriff in the county where the person resides within three days of filing
27 the petition with the clerk of court. The clerk, upon receipt of the petition, shall collect the
28 applicable filing fee and place the petition on the criminal docket to be calendared by the district
29 attorney pursuant to G.S. 7A-49.4. The petition shall be calendared at the next regularly
30 scheduled term of superior court. At the first setting, the petitioner must be advised of the right
31 to have counsel present at the hearing and to the appointment of counsel if the petitioner cannot
32 afford to retain counsel. Appointment of counsel shall be in accordance with rules adopted by
33 the Office of Indigent Defense Services."

34 **SECTION 6.(c)** This section becomes effective December 1, 2025, and applies to
35 petitions filed on or after that date.

36 37 **ALLOW PERSONS OUTSIDE OF THIS STATE TO FILE FOR A DOMESTIC** 38 **VIOLENCE PROTECTION ORDER**

39 **SECTION 7.(a)** G.S. 50B-2(a) reads as rewritten:

40 "(a) Any person residing in this State or seeking relief for acts that have occurred in
41 this State and the defendant resides in this State, may seek relief under this Chapter by filing a
42 civil action or by filing a motion in any existing action filed under Chapter 50 of the General
43 Statutes alleging acts of domestic violence against himself or herself or a minor child who resides
44 with or is in the custody of such person. Any aggrieved party entitled to relief under this Chapter
45 may file a civil action and proceed pro se, without the assistance of legal counsel. The district
46 court division of the General Court of Justice shall have original jurisdiction over actions
47 instituted under this Chapter. Any action for a domestic violence protective order requires that a
48 summons be issued and served. The summons issued pursuant to this Chapter shall require the
49 defendant to answer within 10 days of the date of service. Attachments to the summons shall
50 include the complaint, notice of hearing, any temporary or ex parte order that has been issued,
51 and other papers through the appropriate law enforcement agency where the defendant is to be

1 served. In compliance with the federal Violence Against Women Act, no court costs or attorneys'
2 fees shall be assessed for the filing, issuance, registration, or service of a protective order or
3 petition for a protective order or witness subpoena, except as provided in G.S. 1A-1, Rule 11."

4 **SECTION 7.(b)** This section becomes effective December 1, 2025, and applies to
5 civil actions or motions filed on or after that date.

6
7 **REVISE REQUIREMENT UNDER THE CRIME VICTIMS COMPENSATION ACT**
8 **THAT CRIMINALLY INJURIOUS CONDUCT BE REPORTED TO LAW**
9 **ENFORCEMENT WITHIN 72 HOURS OF ITS OCCURRENCE**

10 **SECTION 8.(a)** G.S. 15B-11(a) reads as rewritten:

11 "(a) An award of compensation shall be denied ~~if~~ if any of the following apply:

- 12 (1) The claimant fails to file an application for an award within two years after
13 the date of the criminally injurious conduct that caused the injury or death for
14 which the claimant seeks the ~~award~~ award.
- 15 (2) The economic loss is incurred after one year from the date of the criminally
16 injurious conduct that caused the injury or death for which the victim seeks
17 the award, except in the case where the victim for whom compensation is
18 sought was 10 years old or younger at the time the injury occurred. In that
19 case an award of compensation will be denied if the economic loss is incurred
20 after two years from the date of the criminally injurious conduct that caused
21 the injury or death for which the victim seeks the ~~award~~ award.
- 22 (3) The criminally injurious conduct was not reported to a law enforcement
23 officer or agency within ~~72 hours~~ six months of its occurrence, and there was
24 no good cause for the ~~delay~~ delay.
- 25 (4) The award would benefit the offender or the offender's accomplice, unless a
26 determination is made that the interests of justice require that an award be
27 approved in a particular ~~ease~~ case.
- 28 (5) The criminally injurious conduct occurred while the victim was confined in
29 any State, county, or city prison, correctional, youth services, or juvenile
30 facility, or local confinement facility, or half-way house, group home, or
31 similar ~~facility~~ or facility.
- 32 (6) The victim was participating in a felony at or about the time that the victim's
33 injury occurred."

34 **SECTION 8.(b)** This section is effective when it becomes law and applies to
35 applications filed on or after that date.

36
37 **REVISE CRIMINAL OFFENSE OF SECRETLY PEEPING INTO ROOM OCCUPIED**
38 **BY ANOTHER PERSON**

39 **SECTION 9.(a)** G.S. 14-202 reads as rewritten:

40 "**§ 14-202. Secretly peeping into room occupied by another person.**

41 (a) Any person who shall peep secretly into any room occupied by another person shall
42 be guilty of a Class 1 misdemeanor.

43 (a1) Unless covered by another provision of law providing greater punishment, any person
44 who secretly or surreptitiously peeps underneath or through the clothing being worn by another
45 person, through the use of a mirror or other device, for the purpose of viewing the body of, or the
46 undergarments worn by, that other person without their consent shall be guilty of a Class 1
47 misdemeanor.

48 (b) ~~For purposes of this section:~~ The following definitions apply in this section:

- 49 (1) ~~The term "photographic image" means any~~ Photographic image. – Any
50 photograph or photographic reproduction, still or moving, or any videotape,

- 1 motion picture, or live television transmission, or any digital image of any
2 individual.
- 3 (2) ~~The term "room" shall include, Private area of an individual. – The naked or~~
4 ~~undergarment clad genitals, pubic area, buttocks, or female breast of that~~
5 ~~individual.~~
- 6 (3) Room. – Includes, but is not limited to, a bedroom, a rest room, a bathroom, a
7 shower, and a dressing room-room, a dressing stall, a cubicle, or other similar
8 area designed to provide privacy.
- 9 (4) Under circumstances in which that individual has a reasonable expectation of
10 privacy. – Means either of the following:
- 11 a. Circumstances in which a reasonable person would believe that he or
12 she could disrobe in privacy, without being concerned that a
13 photographic image of a private area of the individual was being
14 created.
- 15 b. Circumstances in which a reasonable person would believe that a
16 private area of the individual would not be visible to the public,
17 regardless of whether that person is in a public or private place.
- 18 (c) Unless covered by another provision of law providing greater punishment, any person
19 who, while in possession of any device which may be used to create a photographic ~~image,~~ image
20 and with the intent to create a photographic image, shall secretly peep into any room shall be
21 guilty of a Class A1 misdemeanor.
- 22 (d) Unless covered by another provision of law providing greater punishment, any person
23 who, while secretly peeping into any room, uses any device to create a photographic image of
24 another person in that room for the purpose of arousing or gratifying the sexual desire of any
25 person shall be guilty of a Class I felony.
- 26 ~~(e) Any person who secretly or surreptitiously uses any device to create a photographic~~
27 ~~image of another person underneath or through the clothing being worn by that other person for~~
28 ~~the purpose of viewing the body of, or the undergarments worn by, that other person without~~
29 ~~their consent shall be guilty of a Class I felony.~~
- 30 (e1) Unless covered under some other provision of law providing greater punishment, any
31 person who, with the intent to create a photographic image of a private area of an individual
32 without the individual's consent, knowingly does so under circumstances in which the individual
33 has a reasonable expectation of privacy shall be guilty of a Class I felony.
- 34 (f) Any person who, for the purpose of arousing or gratifying the sexual desire of any
35 person, secretly or surreptitiously uses or installs in a room any device that can be used to create
36 a photographic image with the intent to capture the image of another without their consent shall
37 be guilty of a Class I felony.
- 38 (g) Any person who knowingly possesses a photographic image that the person knows,
39 or has reason to believe, was obtained in violation of this section shall be guilty of a Class I
40 felony.
- 41 (h) Any person who disseminates or allows to be disseminated images that the person
42 knows, or should have known, were obtained as a result of the violation of this section shall be
43 guilty of a Class H felony if the dissemination is without the consent of the person in the
44 photographic image.
- 45 (i) A second or subsequent felony conviction under this section shall be punished as
46 though convicted of an offense one class higher. A second or subsequent conviction for a Class
47 1 misdemeanor shall be punished as a Class A1 misdemeanor. A second or subsequent conviction
48 for a Class A1 misdemeanor shall be punished as a Class I felony.
- 49 (j) If the defendant is placed on probation as a result of violation of this section:

1 (1) For a first conviction under this section, the judge may impose a requirement
2 that the defendant obtain a psychological evaluation and comply with any
3 treatment recommended as a result of that evaluation.

4 (2) For a second or subsequent conviction under this section, the judge shall
5 impose a requirement that the defendant obtain a psychological evaluation and
6 comply with any treatment recommended as a result of that evaluation.

7 (k) Any person whose image is captured or disseminated in violation of this section has
8 a civil cause of action against any person who captured or disseminated the image or procured
9 any other person to capture or disseminate the image and is entitled to recover from those persons
10 actual damages, punitive damages, reasonable attorneys' fees and other litigation costs reasonably
11 incurred.

12 (l) When a person violates subsection (d), ~~(e)~~, ~~(e1)~~, (f), (g), or (h) of this section, or is
13 convicted of a second or subsequent violation of subsection (a), (a1), or (c) of this section, the
14 sentencing court shall consider whether the person is a danger to the community and whether
15 requiring the person to register as a sex offender pursuant to Article 27A of this Chapter would
16 further the purposes of that Article as stated in G.S. 14-208.5. If the sentencing court rules that
17 the person is a danger to the community and that the person shall register, then an order shall be
18 entered requiring the person to register.

19 (m) The provisions of subsections (a), (a1), (c), ~~(e)~~, ~~(e1)~~, (g), (h), and (k) of this section
20 do not apply ~~to either of the following:~~

21 (1) Law enforcement officers while discharging or attempting to discharge their
22 official ~~duties~~; ~~or~~ duties.

23 (2) Personnel of the Division of Prisons of the Department of Adult Correction or
24 of a local confinement facility for security purposes or during investigation of
25 alleged misconduct by a person in the custody of the Division or the local
26 confinement facility.

27 (n) This section does not affect the legal activities of those who are licensed pursuant to
28 Chapter 74C, Private Protective Services, or Chapter 74D, Alarm Systems, of the General
29 Statutes, who are legally engaged in the discharge of their official duties within their respective
30 professions, and who are not engaging in activities for an improper purpose as described in this
31 section."

32 **SECTION 9.(b)** This section becomes effective December 1, 2025, and applies to
33 offenses committed on or after that date.

34
35 **REVISE LAW PROHIBITING SEXUAL ACTIVITY BY A SUBSTITUTE PARENT OR**
36 **CUSTODIAN TO INCLUDE RELIGIOUS ORGANIZATIONS OR INSTITUTIONS**

37 **SECTION 10.(a)** G.S. 14-27.31 reads as rewritten:

38 "**§ 14-27.31. Sexual activity by a substitute parent or custodian.**

39 (a) If a defendant who has assumed the position of a parent in the home of a minor victim
40 engages in vaginal intercourse or a sexual act with a victim who is a minor residing in the home,
41 the defendant is guilty of a Class E felony.

42 (b) If a person having custody of a victim of any age or a person who is an agent or
43 employee of any person, or institution, including a religious organization or institution, whether
44 such institution is private, charitable, or governmental, having custody of a victim of any age
45 engages in vaginal intercourse or a sexual act with such victim, the defendant is guilty of a Class
46 E felony.

47 (c) Consent is not a defense to a charge under this section.

48 (d) As used in this section, "custody" means the care, control, or supervision of a minor
49 by any adult who, by virtue of their position, role, employment, volunteer status, or relationship
50 to a minor, exercises supervisory authority or control over a minor, or is responsible for the

1 minor's welfare, safety, or supervision, regardless of whether such responsibility arises from
2 express appointment, organizational duty, professional obligation, or circumstantial necessity."

3 **SECTION 10.(b)** This section becomes effective December 1, 2025, and applies to
4 offenses committed on or after that date.

5
6 **ESTABLISH THE OFFENSE OF LARCENY OF GIFT CARDS AND REVISE THE**
7 **ORGANIZED RETAIL THEFT OFFENSE TO INCLUDE OFFENSES INVOLVING**
8 **GIFT CARDS**

9 **SECTION 11.(a)** Article 16 of Chapter 14 of the General Statutes is amended by
10 adding a new section to read:

11 **"§ 14-72.12. Larceny of gift cards.**

12 (a) Definitions. – For purposes of this section, the terms "gift card," "gift card issuer,"
13 "gift card redemption information," and "gift card value" are as defined in G.S. 14-86.5.

14 (b) Offense. – A person commits the offense of larceny of gift cards if the person does
15 any of the following:

16 (1) Acquires or retains possession of a gift card or gift card redemption
17 information without the consent of the cardholder or card issuer.

18 (2) Obtains a gift card or gift card redemption information from a cardholder or
19 card issuer by means of false or fraudulent pretenses, representations, or
20 promises.

21 (3) Alters or tampers with a gift card or its packaging with intent to defraud
22 another.

23 (c) Punishment. – A violation of this section is a Class 1 misdemeanor if the value of the
24 gift card acquired, retained, or for which the card redemption information is obtained, or is altered
25 or tampered with, is not more than one thousand dollars (\$1,000). Any other violation of this
26 section is a Class H felony."

27 **SECTION 11.(b)** G.S. 14-86.5 reads as rewritten:

28 **"§ 14-86.5. Definitions.**

29 The following definitions apply in this Article:

30 (1) ~~"Retail property."— Any article, product, commodity, item, or component~~
31 ~~intended to be sold in retail commerce.~~Gift card. – A record evidencing a
32 promise, made for monetary consideration, by a seller or issuer that goods or
33 services will be provided to the owner of the record to the value shown in the
34 record. A gift card includes a record that contains a microprocessor chip,
35 magnetic strip, or other storage medium that is prefunded and for which the
36 value is adjusted upon each use, a gift certificate, a stored-value card or
37 certificate, a store card, or a prepaid long-distance telephone service that is
38 activated by a prepaid card that required dialing an access number or an access
39 code in addition to dialing the phone number to which the user of the prepaid
40 card seeks to connect.

41 (2) Repealed by Session Laws 2024-22, s. 2(a), effective December 1, 2024, and
42 applicable to offenses committed on or after that date.

43 (3) ~~"Theft."— To take possession of, carry away, transfer, or cause to be carried~~
44 ~~away the retail property of another with the intent to steal the retail~~
45 ~~property.~~Gift card issuer. – Any person or entity that sells, distributes, or
46 supplies a gift card.

47 (4) ~~"Value."— The retail value of an item as advertised by the affected retail~~
48 ~~establishment, to include all applicable taxes.~~Gift card redemption
49 information. – Any information unique to a gift card that allows the cardholder
50 to access, transfer, or spend the funds on that gift card.

- 1 (5) Gift card value. – The maximum monetary value that can be applied to the
2 card.
- 3 (6) Retail property. – Any article, product, commodity, item, or component
4 intended to be sold in retail commerce.
- 5 (7) Theft. – To take possession of, carry away, transfer, or cause to be carried
6 away the retail property of another with the intent to steal the retail property.
- 7 (8) Value. – The retail value of an item as advertised by the affected retail
8 establishment, to include all applicable taxes."

9 **SECTION 11.(c)** G.S. 14-86.6 reads as rewritten:

10 **"§ 14-86.6. Organized retail theft.**

11 (a) Offense. – A person commits the offense of organized retail theft if the person does
12 any of the following:

- 13 (1) Conspires with another person to commit theft of retail property from retail
14 establishments with the intent to sell, transfer, or possess that retail property
15 for monetary or other gain.
- 16 (2) Receives or possesses any retail property that has been taken or stolen in
17 violation of subdivision (1) of this subsection while knowing or having
18 reasonable grounds to believe the property is stolen.
- 19 (3) Conspires with two or more other persons as an organizer, supervisor,
20 financier, leader, or manager to engage for profit in a scheme or course of
21 conduct to effectuate or intend to effectuate the transfer or sale of property
22 stolen from a merchant in violation of this section.
- 23 (4) Conspires with another person to acquire or retain possession of a gift card or
24 gift card redemption information without the consent of the cardholder or card
25 issuer.
- 26 (5) Devises a scheme with one or more persons to obtain a gift card or gift card
27 redemption information from a cardholder or card issuer by means of false or
28 fraudulent pretenses, representations, or promises.
- 29 (6) Conspires with another person to alter or tamper with a gift card or its
30 packaging with intent to defraud another.

31 ...

32 (a2) Punishments. – The following classifications apply to the offense of organized retail
33 theft:

- 34 (1) An offense when the gift card value or the retail property has a value
35 exceeding one thousand five hundred dollars (\$1,500) aggregated over a
36 90-day period is a Class H felony.
- 37 (2) An offense when the gift card value or the retail property has a value
38 exceeding twenty thousand dollars (\$20,000) aggregated over a 90-day period
39 is a Class G felony.
- 40 (3) An offense when the gift card value or the retail property has a value
41 exceeding fifty thousand dollars (\$50,000) aggregated over a 90-day period is
42 a Class F felony.
- 43 (4) An offense when the gift card value or the retail property has a value
44 exceeding one hundred thousand dollars (\$100,000) aggregated over a 90-day
45 period is a Class C felony.

46 ...

47 (c) Multiple Thefts. – Thefts of gift cards, gift card redemption information, or retail
48 property occurring in more than one county may be aggregated into an alleged violation of this
49 section. Each county where a part of the charged offense occurs has concurrent venue as
50 described in G.S. 15A-132."

51 **SECTION 11.(d)** G.S. 1-538.2 reads as rewritten:

1 **"§ 1-538.2. Civil liability for larceny, shoplifting, theft by employee, organized retail theft,**
2 **embezzlement, obtaining property by false pretense, and other offenses.**

3 (a) Any person, other than an unemancipated minor, who commits an act that is
4 punishable under G.S. 14-72, 14-72.1, 14-72.11, 14-72.12, 14-74, 14-86.6, 14-86.7, 14-90, or
5 14-100 is liable for civil damages to the owner of the property. In any action brought by the
6 owner of the property, the owner is entitled to recover the value of the goods or merchandise, if
7 the goods or merchandise have been destroyed, or any loss of value to the goods or merchandise,
8 if the goods or merchandise were recovered, or the amount of any money lost by reason of the
9 theft or embezzlement or fraud of an employee. The owner of the property is also entitled to
10 recover for loss to real or personal property caused in the commission of the act. In addition to
11 the above, the owner of the property is entitled to recover any consequential damages, and
12 punitive damages, together with reasonable attorneys' fees. The total consequential damages
13 awarded to a plaintiff against a defendant under this section shall not be less than one hundred
14 fifty dollars (\$150.00) and shall not exceed three thousand dollars (\$3,000) except an act
15 punishable under G.S. 14-74, 14-86.6, 14-86.7, or 14-90 shall have no maximum limit under this
16 section.

17 (b) The parent or legal guardian, having the care, custody and control of an
18 unemancipated minor who commits an act punishable under G.S. 14-72, 14-72.1, 14-72.11,
19 14-72.12, 14-74, 14-86.6, 14-86.7, 14-90, or 14-100, is civilly liable to the owner of the property
20 obtained by the act if such parent or legal guardian knew or should have known of the propensity
21 of the child to commit such an act; and had the opportunity and ability to control the child, and
22 made no reasonable effort to correct or restrain the child. In an action brought against the parent
23 or legal guardian by the owner, the owner is entitled to recover the amounts specified in
24 subsection (a) except punitive damages. The total consequential damages awarded to a plaintiff
25 against the parent or legal guardian shall not be less than one hundred fifty dollars (\$150.00) and
26 shall not exceed three thousand dollars (\$3,000).

27"

28 **SECTION 11.(e)** This section becomes effective December 1, 2025, and applies to
29 offenses committed on or after that date.

30 31 **ESTABLISH AN OFFENSE FOR WRONGFULLY ENTERING A PART OF A** 32 **BUILDING NOT OPEN TO THE PUBLIC**

33 **SECTION 12.(a)** G.S. 14-54 is amended by adding a new subsection to read:

34 "(b1) Any person who, with the intent to commit an unlawful act, enters any area of a
35 building (i) that is commonly reserved for personnel of a commercial business where money or
36 other property is kept or (ii) clearly marked with a sign that indicates to the public that entry is
37 forbidden is guilty of a Class 1 misdemeanor for a first offense and a Class I felony for a second
38 or subsequent offense."

39 **SECTION 12.(b)** This section becomes effective December 1, 2025, and applies to
40 offenses committed on or after that date.

41 42 **ALLOW UNLICENSED LAW SCHOOL GRADUATES TO PRACTICE LAW UNDER** 43 **SUPERVISION**

44 **SECTION 13.** G.S. 84-7.1 is amended by adding a new subdivision to read:

45 "(4) Any law school graduate permitted by the North Carolina State Bar to act as
46 a legal intern for a federal, State, local government agency, or for a nonprofit
47 corporation qualified to render legal services pursuant to G.S. 84-5.1."

48 49 **CLARIFY THAT ALL FELONY SCHOOL NOTIFICATIONS ARE LIMITED TO** 50 **CLASS A THROUGH CLASS E FELONIES**

51 **SECTION 14.** G.S. 7B-3101(a) reads as rewritten:

1 "(a) Notwithstanding G.S. 7B-3000, the juvenile court counselor shall deliver verbal and
2 written notification of any of the following actions to the principal of the school that the juvenile
3 attends:

- 4 (1) A petition is filed under G.S. 7B-1802 that alleges delinquency for an offense
5 that would constitute a Class A, B1, B2, C, D, or E felony if committed by an
6 adult. The principal of the school shall make an individualized decision related
7 to the status of the student during the pendency of the matter and not have an
8 automatic suspension policy.
- 9 (2) The court transfers jurisdiction over a juvenile to the superior court under
10 G.S. 7B-2200.5 or ~~G.S. 7B-2200~~. G.S. 7B-2200 for an offense that would
11 constitute a Class A, B1, B2, C, D, or E felony if committed by an adult.
- 12 (3) The court dismisses under G.S. 7B-2411 the petition that alleges delinquency
13 for an offense that would be a Class A, B1, B2, C, D, or E felony if committed
14 by an adult.
- 15 (4) The court issues a dispositional order under Article 25 of Chapter 7B of the
16 General Statutes including, but not limited to, an order of probation that
17 requires school attendance, concerning a juvenile alleged or found delinquent
18 for an offense that would be a felony if committed by an adult.
- 19 (5) The court modifies or vacates any order or disposition under G.S. 7B-2600
20 concerning a juvenile alleged or found delinquent for an offense that would
21 be a Class A, B1, B2, C, D, or E felony if committed by an adult.

22 Notification of the school principal in person or by telephone shall be made before the
23 beginning of the next school day. Delivery shall be made as soon as practicable but at least within
24 five days of the action. Delivery shall be made in person or by certified mail. Notification that a
25 petition has been filed shall describe the nature of the offense. Notification of a dispositional
26 order, a modified or vacated order, or a transfer to superior court shall describe the court's action
27 and any applicable disposition requirements. As used in this subsection, the term "offense" does
28 not include any offense under Chapter 20 of the General Statutes."
29

30 **ALLOW TRANSFER OF BIOLOGICAL EVIDENCE BACK TO THE COLLECTING** 31 **AGENCY FOR PRESERVATION**

32 **SECTION 15.** G.S. 15A-268(a3) reads as rewritten:

33 "(a3) When physical evidence is offered or admitted into evidence in a criminal proceeding
34 of the General Court of Justice, the presiding judge shall inquire of the State and defendant as to
35 the identity of the collecting agency of the evidence and whether the evidence in question is
36 reasonably likely to contain biological evidence and if that biological evidence is relevant to
37 establishing the identity of the perpetrator in the case. If either party asserts that the evidence in
38 question may have biological evidentiary value, and the court so finds, the court shall instruct
39 that the evidence be so designated in the court's records and that the evidence be preserved
40 pursuant to the requirements of this section. The court may order that the evidence be returned
41 to the collecting agency to be preserved during the pendency of the proceedings for which the
42 evidence was introduced pursuant to subsection (a1) of this section at a request from the district
43 attorney, the clerk, and the collecting agency if the court finds that the collecting agency is better
44 equipped to preserve the evidence and the district attorney, the clerk, and the collecting agency
45 all agree."
46

47 **REVISE LAW GOVERNING THE RECORDING OF COURT PROCEEDINGS**

48 **SECTION 16.(a)** G.S. 15A-1241 reads as rewritten:

49 "**§ 15A-1241. Record of proceedings.**

50 (a) The trial judge must require that the reporter make a true, complete, and accurate
51 record of all statements from the bench and all other proceedings except:

1 (1) Selection of the jury in noncapital cases;
 2 (2) Opening statements and final arguments of counsel to the jury; and
 3 (3) Arguments of counsel on questions of law.
 4 (b) Upon motion of any party or on the judge's own motion, proceedings excepted under
 5 ~~subdivisions (1) and (2) of subsection (a) of this section~~ must be recorded. The motion for
 6 recordation of jury arguments must be made before the commencement of any argument and if
 7 one argument is recorded all must be. Upon suggestion of improper argument, when no
 8 recordation has been requested or ordered, the judge in his discretion may require the remainder
 9 to be recorded.

10"

11 **SECTION 16.(b)** This section is effective when it becomes law and applies to
 12 proceedings commenced on or after that date.

13
 14 **INCREASE THE PUNISHMENT FOR COMMITTING THE OFFENSE OF FAILURE**
 15 **TO YIELD THAT RESULTS IN SERIOUS BODILY INJURY**

16 **SECTION 17.(a)** G.S. 20-160.1(a) reads as rewritten:

17 "(a) Unless the conduct is covered under some other law providing greater punishment, a
 18 person who commits the offense of failure to yield while approaching or entering an intersection,
 19 turning at a stop or yield sign, entering a roadway, upon the approach of an emergency vehicle,
 20 or at highway construction or maintenance shall be punished under this section. When there is
 21 serious bodily injury but no death resulting from the violation, the violator is guilty of a Class 2
 22 misdemeanor, which shall be fined include a fine of five hundred dollars (\$500.00) and and, upon
 23 conviction, revocation of the violator's drivers license or commercial drivers license shall be
 24 suspended for 90 days."

25 **SECTION 17.(b)** This section becomes effective December 1, 2025, and applies to
 26 offenses committed on or after that date.

27
 28 **INCREASE THE PENALTY FOR FAILURE TO YIELD THE RIGHT-OF-WAY TO A**
 29 **BLIND OR PARTIALLY BLIND PEDESTRIAN**

30 **SECTION 18.(a)** G.S. 20-175.2 reads as rewritten:

31 **"§ 20-175.2. Right-of-way at crossings, intersections and traffic-control signal points; white**
 32 **cane or guide dog to serve as signal for the blind.**

33 At any street, road or highway crossing or intersection, where the movement of traffic is not
 34 regulated by a traffic officer or by traffic-control signals, any blind or partially blind pedestrian
 35 shall be entitled to the right-of-way at such crossing or intersection, if such blind or partially
 36 blind pedestrian shall extend before him at arm's length a cane white in color or white tipped with
 37 red, or if such person is accompanied by a guide dog. Upon receiving such a signal, all vehicles
 38 at or approaching such intersection or crossing shall come to a full stop, leaving a clear lane
 39 through which such pedestrian may pass, and such vehicle shall remain stationary until such blind
 40 or partially blind pedestrian has completed the passage of such crossing or intersection. At any
 41 street, road or highway crossing or intersection, where the movement of traffic is regulated by
 42 traffic-control signals, blind or partially blind pedestrians shall be entitled to the right-of-way if
 43 such person having such cane or accompanied by a guide dog shall be partly across such crossing
 44 or intersection at the time the traffic-control signals change, and all vehicles shall stop and remain
 45 stationary until such pedestrian has completed passage across the intersection or crossing. Any
 46 person who fails to yield the right-of-way to a blind or partially blind pedestrian as required by
 47 this section is guilty of a Class 2 misdemeanor."

48 **SECTION 18.(b)** This section becomes effective December 1, 2026, and applies to
 49 offenses committed on or after that date.

50
 51 **INCREASE PUNISHMENT FOR FENTANYL OFFENSES**

1 **SECTION 19.(a)** G.S. 90-95 reads as rewritten:

2 "**§ 90-95. Violations; penalties.**

3 (a) Except as authorized by this Article, it is unlawful for any person:

4 (1) To manufacture, sell or deliver, or possess with intent to manufacture, sell or
5 deliver, a controlled substance;

6 (2) To create, sell or deliver, or possess with intent to sell or deliver, a counterfeit
7 controlled substance;

8 (3) To possess a controlled substance.

9 (b) Except as provided in subsections (h) and (i) of this section, any person who violates
10 G.S. 90-95(a)(1) with respect to:

11 (1) A controlled substance classified in Schedule I or II shall be punished as a
12 Class H felon, except as follows: (i) the sale of a controlled substance
13 classified in Schedule I or II shall be punished as a Class G felony, and (ii) the
14 manufacture of methamphetamine shall be punished as provided by
15 subdivision (1a) of this ~~subsection~~subsection, and (iii) any violation of
16 G.S. 90-95(a)(1) involving fentanyl or carfentanil, or any salt, compound,
17 derivative, or preparation thereof, or any mixture containing any of these
18 substances shall be punished as provided in subdivision (1b) of this
19 subsection.

20 (1a) The manufacture of methamphetamine shall be punished as a Class C felony
21 unless the offense was one of the following: packaging or repackaging
22 methamphetamine, or labeling or relabeling the methamphetamine container.
23 The offense of packaging or repackaging methamphetamine, or labeling or
24 relabeling the methamphetamine container shall be punished as a Class H
25 felony.

26 (1b) Any violation of G.S. 90-95(a)(1) involving fentanyl or carfentanil, or any
27 salt, compound, derivative, or preparation thereof, or any mixture containing
28 any of these substances shall be punished as a Class F felony.

29 (2) A controlled substance classified in Schedule III, IV, V, or VI shall be
30 punished as a Class I felon, except that the sale of a controlled substance
31 classified in Schedule III, IV, V, or VI shall be punished as a Class H felon.
32 The transfer of less than 5 grams of marijuana for no remuneration shall not
33 constitute a delivery in violation of G.S. 90-95(a)(1).

34 (c) Any person who violates G.S. 90-95(a)(2) shall be punished as a Class I felon.

35 (d) Except as provided in subsections (h) and (i) of this section, any person who violates
36 G.S. 90-95(a)(3) with respect to:

37 (1) A controlled substance classified in Schedule I shall be punished as a Class I
38 felon. However, if the controlled substance is MDPV and the quantity of the
39 MDPV is 1 gram or less, the violation shall be punishable as a Class 1
40 misdemeanor.

41 (2) A controlled substance classified in Schedule II, III, or IV shall be guilty of a
42 Class 1 misdemeanor. If the controlled substance exceeds four tablets,
43 capsules, or other dosage units or equivalent quantity of hydromorphone or if
44 the quantity of the controlled substance, or combination of the controlled
45 substances, exceeds one hundred tablets, capsules or other dosage units, or
46 equivalent quantity, the violation shall be punishable as a Class I felony. If the
47 controlled substance is methamphetamine, amphetamine, phencyclidine,
48 ecocaine, fentanyl, or carfentanil or cocaine and any salt, isomer, salts of
49 isomers, compound, derivative, or preparation thereof, or coca leaves and any
50 salt, isomer, salts of isomers, compound, derivative, or preparation of coca
51 leaves, or any salt, isomer, salts of isomers, compound, derivative or

1 preparation thereof which is chemically equivalent or identical with any of
 2 these substances (except decocanized coca leaves or any extraction of coca
 3 leaves which does not contain cocaine or ecgonine), the violation shall be
 4 punishable as a Class I felony. If the controlled substance is fentanyl or
 5 carfentanil, or any salt, compound, derivative, or preparation thereof, or any
 6 mixture containing any of these substances the violation is punishable as a
 7 Class H felony.

8 ...

9 (h) Notwithstanding any other provision of law, the following provisions apply except as
 10 otherwise provided in this Article:

11 ...

12 (4) ~~Any~~ Except as provided in subdivision (4c) of this subsection any person who
 13 sells, manufactures, delivers, transports, or possesses four grams or more of
 14 opium, opiate, or opioid, or any salt, compound, derivative, or preparation of
 15 opium, opiate, or opioid (except apomorphine, nalbuphine, analoxone and
 16 naltrexone and their respective salts), including heroin, or any mixture
 17 containing such substance, shall be guilty of a felony which felony shall be
 18 known as "trafficking in opium, opiate, opioid, or heroin" and if the quantity
 19 of such controlled substance or mixture involved:

20 a. Is four grams or more, but less than 14 grams, such person shall be
 21 punished as a Class F felon and shall be sentenced to a minimum term
 22 of 70 months and a maximum term of 93 months in the State's prison
 23 and shall be fined as follows:

- 24 1. A fine of five hundred thousand dollars (\$500,000) if the
 25 controlled substance is ~~heroin, fentanyl, or carfentanil,~~ heroin,
 26 or any salt, compound, derivative, or preparation thereof, or
 27 any mixture containing any of ~~these substances;~~ that substance.
- 28 2. A fine of not less than fifty thousand dollars (\$50,000) for any
 29 controlled substance described in this subdivision and not
 30 otherwise subject to sub-sub-subdivision 1. of this
 31 sub-subdivision.

32 b. Is 14 grams or more, but less than 28 grams, such person shall be
 33 punished as a Class E felon and shall be sentenced to a minimum term
 34 of 90 months and a maximum term of 120 months in the State's prison
 35 and shall be fined as follows:

- 36 1. A fine of seven hundred fifty thousand dollars (\$750,000) if
 37 the controlled substance is ~~heroin, fentanyl, or carfentanil,~~
 38 heroin, or any salt, compound, derivative, or preparation
 39 thereof, or any mixture containing any of ~~these substances;~~ that
 40 substance.
- 41 2. A fine of not less than one hundred thousand dollars
 42 (\$100,000) for any controlled substance described in this
 43 subdivision and not otherwise subject to sub-sub-subdivision
 44 1. of this sub-subdivision.

45 c. Is 28 grams or more, such person shall be punished as a Class C felon
 46 and shall be sentenced to a minimum term of 225 months and a
 47 maximum term of 282 months in the State's prison and shall be fined
 48 as follows:

- 49 1. A fine of one million dollars (\$1,000,000) if the controlled
 50 substance is ~~heroin, fentanyl, or carfentanil,~~ heroin, or any salt,

1 compound, derivative, or preparation thereof, or any mixture
 2 containing any of ~~these substances~~ that substance.
 3 2. A fine of not less than five hundred thousand dollars
 4 (\$500,000) for any controlled substance described in this
 5 subdivision and not otherwise subject to sub-sub-subdivision
 6 1. of this sub-subdivision.

7 ...
 8 (4c) Any person who sells, manufactures, delivers, transports, or possesses four
 9 grams or more of fentanyl or carfentanil, or any salt, compound, derivative, or
 10 preparation of such substance, or any mixture containing such substance, shall
 11 be guilty of a felony which felony shall be known as "trafficking in fentanyl
 12 or carfentanil" and if the quantity of such controlled substance or mixture
 13 involved:
 14 a. Is four grams or more, but less than 14 grams, such person shall be
 15 punished as a Class E felon and shall be sentenced to a minimum term
 16 of 90 months and a maximum term of 120 months in the State's prison
 17 and shall be fined five hundred thousand dollars (\$500,000).
 18 b. Is 14 grams or more, but less than 28 grams, such person shall be
 19 punished as a Class D felon and shall be sentenced to a minimum term
 20 of 175 months and a maximum term of 222 months in the State's prison
 21 and shall be fined seven hundred fifty thousand dollars (\$750,000).
 22 c. Is 28 grams or more, such person shall be punished as a Class C felon
 23 and shall be sentenced to a minimum term of 225 months and a
 24 maximum term of 282 months in the State's prison and shall be fined
 25 one million dollars (\$1,000,000).

26"
 27 **SECTION 19.(b)** This section becomes effective December 1, 2025, and applies to
 28 offenses committed on or after that date.

29
 30 **SEVERABILITY, SAVINGS CLAUSE, AND EFFECTIVE DATE**

31 **SECTION 20.(a)** If any provision of this act or its application is held invalid, the
 32 invalidity does not affect other provisions or applications of this act that can be given effect
 33 without the invalid provisions or application and, to this end, the provisions of this act are
 34 severable.

35 **SECTION 20.(b)** Prosecutions for offenses committed before the effective date of
 36 this act are not abated or affected by this act, and the statutes that would be applicable but for
 37 this act remain applicable to those prosecutions.

38 **SECTION 20.(c)** Except as otherwise provided, this act is effective when it becomes
 39 law.