

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

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**SENATE BILL 13
Commerce and Insurance Committee Substitute Adopted 2/4/25
PROPOSED HOUSE COMMITTEE SUBSTITUTE S13-PCS15362-CV-33**

Short Title: Political Terrorism Prevention Act.

(Public)

Sponsors:

Referred to:

January 30, 2025

A BILL TO BE ENTITLED
AN ACT TO ENHANCE CRIMINAL PENALTIES FOR POLITICALLY MOTIVATED
ACTS OF VIOLENCE.

Whereas, a functioning democracy depends on the ability of citizens to engage in public discourse through protest, debate, advocacy, and speech, without fear of retribution or violence; and

Whereas, political rhetoric, heated debate, and passionate disagreement are part of the American tradition, but violence in response to those ideas is not; and

Whereas, elected officials, public servants, campus speakers, political candidates, journalists, and everyday citizens have increasingly become the targets of threats, harassment, and physical attacks simply for expressing political views; and

Whereas, public campuses, political rallies, and social media platforms have become modern battlegrounds for ideological suppression, where disagreement is met not with argument, but with intimidation and, at times, acts of violence; and

Whereas, recent years have seen a disturbing rise in politically motivated violent acts, including the attempted assassination of Congressman Steve Scalise in 2017, the attempted assassination of Justice Brett Kavanaugh in 2022, the multiple assassination attempts on President Donald J. Trump in 2024, as well as the arson attack on Governor Shapiro's Residence in Pennsylvania, the assassination of Minnesota State Rep. Melissa Hortman, and most recently, the horrific and public assassination of Charlie Kirk in 2025; and

Whereas, these attacks are not random, but intentional efforts to silence speech, suppress dissent, and enforce ideological conformity through terror; and

Whereas, politically motivated violence is not merely criminal, it is an attack on the First Amendment, on civil society, and on the American way of life; and

Whereas, the State of North Carolina reaffirms its unwavering commitment to the principles of free expression, civil dialogue, and peaceful political engagement; and

Whereas, it is the duty of this General Assembly to protect its citizens, its public servants, and its democratic institutions from those who would use violence to silence political beliefs; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-101 reads as rewritten:

"§ 15A-101. Definitions.

Unless the context clearly requires otherwise, the following words have the listed meanings:

...



* S 1 3 - P C S 1 5 3 6 2 - C V - 3 3 *

(6a) Politically Motivated Act of Violence. – Any act that constitutes a criminal offense under North Carolina law in which the offender intentionally targets, harms, threatens, or attempts to harm another person, in whole or in part, because of the victim's real or perceived political beliefs, viewpoints, affiliations, party membership, advocacy, candidacy for public office, voting history, participation in lawful political demonstrations, or public expression on political issues.

...."

SECTION 2. G.S. 15A-1340.16(d) reads as rewritten:

"(d) Aggravating Factors. – The following are aggravating factors:

...

(15a) The offense was a politically motivated act of violence as defined in G.S. 15A-101. The existence of this aggravating factor shall not limit the State from alleging other aggravating factors under G.S. 15A-1340.16.

...."

SECTION 3. Article 81B of Chapter 15A of the General Statutes is amended by adding a new section to read:

"§ 15A-1340.16H. Politically motivated violence sentence enhancement.

(a) If a person is convicted of a felony offense, and the court or trier of fact finds that the offense was a politically motivated act of violence, then all of the following apply:

(1) The person shall be sentenced at a felony class level one class higher than the principal felony for which the person was convicted.

(2) The offender shall be ineligible for parole, early release, or any form of sentencing reduction.

(b) Political motivation may be proven by direct or circumstantial evidence, including statements, manifestos, affiliations, or targeting patterns.

(c) An indictment or information for the felony shall allege in that indictment or information the facts that qualify the offense for an enhancement under this section. One pleading is sufficient for all felonies that are tried at a single trial.

(d) The State shall prove the issues set out in subsection (a) of this section beyond a reasonable doubt during the same trial in which the defendant is tried for the felony unless the defendant pleads guilty or no contest to the issues. If the defendant pleads guilty or no contest to the felony but pleads not guilty to the issues set out in subsection (a) of this section, then a jury shall be impaneled to determine the issues."

SECTION 4. G.S. 15A-2000(e) reads as rewritten:

"(e) Aggravating Circumstances. – Aggravating circumstances that may be considered are limited to the following:

...

(13) The capital felony was committed against a victim because of the victim's political beliefs, public political activity, candidacy for office, or affiliation with a political movement, and the act was committed to silence, intimidate, or retaliate against political expression."

SECTION 5. G.S. 15A-2004(b) reads as rewritten:

"(b) A sentence of death may not be imposed upon a defendant convicted of a capital felony unless the State has given notice of its intent to seek the death penalty. Notice of intent to seek the death penalty shall be given to the defendant and filed with the court on or before the date of the pretrial conference in capital cases required by Rule 24 of the General Rules of Practice for the Superior and District Courts, or the arraignment, whichever is later. If the State alleges political motivation under G.S. 15A-2000(e)(13), that aggravating circumstance shall be included in the notice of intent to seek the death penalty and may be considered during capital sentencing pursuant to G.S. 15A-2000, even if the defendant pleads guilty. A court may

1 discipline or sanction the State for failure to comply with the time requirements in Rule 24, but
2 shall not declare a case as noncapital as a consequence of such failure. In addition to any
3 discipline or sanctions the court may impose, the court shall continue the case for a sufficient
4 time so that the defendant is not prejudiced by any delays in holding the hearing required by Rule
5 24."

6 **SECTION 6.** Article 3A of Chapter 114 of the General Statutes is amended by
7 adding a new section to read:

8 **"§ 114-11.7. Special prosecutor and Attorney General notice.**

9 (a) The district attorney shall notify the Attorney General in any case involving a
10 politically motivated act of violence as defined in G.S. 15A-101.

11 (b) Upon request of the district attorney, the Attorney General may assign a special
12 prosecutor to any case involving a politically motivated act of violence as defined in
13 G.S. 15A-101.

14 (c) In addition to any rights conferred by the Crime Victims' Rights Act, Article 46 of
15 Chapter 15A of the General Statutes, the victim, or next of kin, shall be permitted to present an
16 impact statement during any phase of a criminal proceeding based on a politically motivated act
17 of violence as defined in G.S. 15A-101."

18 **SECTION 7.** If any provision of this act or its application is held invalid, the
19 invalidity does not affect other provisions or applications of this act that can be given effect
20 without the invalid provisions or application and, to this end, the provisions of this act are
21 severable.

22 **SECTION 8.** This act becomes effective December 1, 2025, and applies to offenses
23 committed on or after that date.