



HOUSE BILL 251:

Various Disaster Recovery Reforms, Sec. 4:

Theft of Temporary Housing During Emergency

2025-2026 General Assembly

Analysis of: S.L. 2025-18, Sec. 4

Date: August 21, 2025

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Section 4 of S.L. 2025-18 (House Bill 251) provides that the offense of trespass during an emergency occurs when a person unlawfully enters upon the premises of another person in an emergency area during a declared state of emergency when the usual security of property is not effective due to the occurrence or aftermath of the emergency that prompted the declared state of emergency.

Section 4 of S.L. 2025-18 also increases the penalty for looting temporary housing. Specifically, it provides that any person who commits the crime of trespass during an emergency under G.S. 14-288.6(a) and unlawfully takes or damages the temporary housing of another, or unlawfully takes property from the temporary housing of another, is guilty of looting and is punished as a Class F felon. Looting property other than temporary housing is punishable as a Class H felony.

The term "emergency area" is defined to mean the geographical area covered by a declared state of emergency. The term "temporary housing" includes the following:

- Any structure being used for human shelter which is designed to be transportable and is not permanently attached to the ground, another structure, or a utility system.
- A vehicle being used as temporary living quarters.
- Any equipment used to transport or deliver a temporary living structure or vehicle.
- Any item attached or intended to be attached to a temporary living structure or vehicle that provides air conditioning, heating, or a source of power.

This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

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