



HOUSE BILL 315: Gift Card Theft & Unlawful Business Entry.

2025-2026 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	March 24, 2025
Introduced by:	Reps. Pyrtle, Miller, Carson Smith, Reives	Prepared by:	Susan Sitze
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 315 would do the following:*

- *Establish an offense for entering a part of a building not open to the public with the intent to commit an unlawful act.*
- *Establish the offense of larceny of gift cards.*
- *Revise the organized retail theft offense to include offenses involving gift cards.*
- *Provide civil liability for larceny of gift cards.*

BILL ANALYSIS:

Section 1 would amend G.S. 14-54 (Breaking or entering buildings generally) to create a new offense of entering a portion of a building that is not open to the public with the intent to commit an unlawful act. A first offense would be a Class 1 misdemeanor and a second or subsequent offense would be a Class I felony.

Section 2 would enact a new offense of larceny of gift cards if a person does any of the following:

- Acquires or retains possession of a gift card or gift card redemption information without the consent of the cardholder or card issuer.
- Obtains a gift card or gift card redemption information from a cardholder or card issuer by means of false or fraudulent pretenses, representations, or promises.
- Alters or tampers with a gift card or its packaging with the intent to defraud another.

Larceny of gift cards would be a Class 1 misdemeanor if the value of the gift card is not more than \$1,000. Any other offense would be a Class H felony.

Sections 3 and 4 would amend the organized retail theft statute to add new definitions related to gift cards and provide that the following conduct would be punishable as organized retail theft:

- Conspiring with another person to acquire or retain possession of a gift card or gift card redemption information without the consent of the cardholder or card issuer.
- Devising a scheme with one or more persons to obtain a gift card or gift card redemption information from a cardholder or card issuer by means of false or fraudulent pretenses, representations, or promises.
- Conspiring with another person to alter or tamper with a gift card or its packaging with intent to defraud another.

Kara McCraw
Director



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Punishment for organized retail theft ranges from a Class H felony to a Class C felony depending on the aggregate value of gift cards or property stolen.

Section 5 would amend G.S. 1-538.2, which provides civil liability for larceny and similar offenses, to include the new larceny of gift cards offense created in Section 2.

EFFECTIVE DATE: This act would become effective December 1, 2025, and apply to offenses committed on or after that date.