



# HOUSE BILL 83: Revise Laws on Minors/Human Trafficking.

2025-2026 General Assembly

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| <b>Committee:</b> Senate Rules and Operations of the Senate | <b>Date:</b> June 11, 2026              |
| <b>Introduced by:</b> Rep. Torbett                          | <b>Prepared by:</b> Samantha Yarborough |
| <b>Analysis of:</b> Third Edition                           | Committee Counsel                       |

## **OVERVIEW:** *House Bill 83 would do the following:*

- *Amend the offense of disseminating obscenity to minors to include dissemination to any minor if the offender is at least 4 years older than the minor.*
- *Require the sentencing court to consider whether a defendant should be ordered to register as a sex offender if convicted of disseminating obscenity to minors, disseminating harmful material to minors, or exhibiting harmful performances to minors.*
- *Require the North Carolina Human Trafficking Commission to conduct a request for information from vendors that could complete a study on human trafficking reporting.*
- *Make technical corrections.*

## **DISSEMINATION TO MINORS OF OBSCENITY AND MATERIAL HARMFUL TO MINORS**

**CURRENT LAW:** G.S. 14-190.1 makes it unlawful for any adult, firm, or corporation to disseminate obscene material. Material is obscene if it meets all of the following criteria:

- The material depicts or describes sexual conduct in a patently offensive way.
- The average person applying contemporary community standards would find the material taken as a whole appeals to the prurient interest in sex.
- The material lacks serious literary, artistic, political, or scientific value.
- The material as used is not protected or privileged under the U.S. Constitution or the North Carolina Constitution.

G.S. 14-190.15 makes it unlawful for a person to sell, furnish, present, or distribute to a minor material that is harmful to minors. Material is harmful to minors if the material depicts sexually explicit nudity or sexual activity that taken as a whole has the following characteristics:

- The average adult applying contemporary community standards would find that the material has a predominant tendency to appeal to a prurient interest of minors in sex.
- The average adult applying contemporary community standards would find that the depiction of sexually explicit nudity or sexual activity in the material is patently offensive to prevailing standards in the adult community concerning what is suitable for minors.
- The material lacks serious literary, artistic, political, or scientific value for minors.

Article 27A of Chapter 14 of the General Statutes governs the Sex Offender and Public Protection Registration Programs.

**BILL ANALYSIS:** Section 1(a) would amend G.S. 14-190.7 (Dissemination to minors under the age of 16 years) to provide that disseminating obscenity to a minor of any age is a Class H felony if the offender

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is at least 4 years older than the minor. This section would also require the sentencing court to consider whether the person is a danger to the community and whether they should be required to register as a sex offender.

Section 1(b) would amend G.S. 14-190.8 (Dissemination to minors under the age of 13 years) to require the sentencing court to consider whether the person is a danger to the community and whether they should be required to register as a sex offender.

Section 1(c) would amend G.S. 14-190.15 (Disseminating harmful material to minors; exhibiting harmful performances to minors) to require the sentencing court to consider whether the person is a danger to the community and whether they should be required to register as a sex offender.

Section 1(d) would amend the definition of "reportable conviction" in G.S. 14-208.6 to include convictions for violations of G.S. 14-190.7, 14-190.8, and 14-190.15 if the sentencing court orders the person to register a sex offender.

Section 1(e) would provide that offenses committed prior to the effective date of the act would not be affected by this act.

**EFFECTIVE DATE:** Section 1 would become effective December 1, 2026, and apply to offenses committed on or after that date.

## **RFI ON HUMAN TRAFFICKING REPORTING**

**CURRENT LAW:** G.S. 7A-354 establishes the North Carolina Human Trafficking Commission (Commission).

**BILL ANALYSIS:** Section 2 would require the Commission to conduct a request for information from vendors that could complete a study on human trafficking reporting. The requested responses should include information on the development process for a statewide human trafficking reporting and response system (system). After receiving responses, the Commission would be encouraged to begin developing a system. This section would state that it is the intent of the General Assembly to establish a system that will (i) notify law enforcement and child protection officials of high priority reports, (ii) provide a secure dashboard for authorized personnel to view, triage, and respond to reports, and (iii) support real-time communication between investigators and survivors or reporters with consent.

## **TECHNICAL CORRECTIONS**

**CURRENT LAW:** G.S. 143-805 prohibits the viewing of pornography on government networks and devices unless an exception applies.

G.S. 42A-39(c) requires that for any vacation rental, the following people must complete human trafficking awareness training: the property manager or any employee or third-party contractor who oversees the listing, supervision, or maintenance of the vacation rental on behalf of the property manager; the property manager's employees who perform housekeeping services or check-in and check-out services at the vacation rental; and any third-party contractor or employee of a third-party contractor who performs housekeeping services or check-in and check-out services at the vacation rental.

G.S. 130A-511(b)(1) requires the Department of Labor to develop a training course or identify existing training courses to inform and educate people about human trafficking in consultation with the North Carolina Human Trafficking Commission, the North Carolina Restaurant and Lodging Association, and the Department of Health and Human Services.

**BILL ANALYSIS:** Section 3 would do the following:

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- Create an additional exception to the prohibition on viewing pornography on government networks and devices for investigations of matters involving offenders incarcerated with or under the supervision of the Department of Adult Correction (DAC) or matters related to the misuse of devices owned by the DAC.
- Require that third-party contractors ensure that any employee of the third-party contractor performing housekeeping services or providing check-in and check-out services at a vacation rental receives human trafficking awareness training.
- Clarify that the Department of Labor does not have to go through the rulemaking process of the Administrative Procedure Act in Chapter 150B when developing or identifying training courses to inform and educate individuals about human trafficking.

**EFFECTIVE DATE:** Section 3 would be effective when it becomes law. The exception to the prohibition on viewing pornography for DAC investigations would apply to investigations occurring before, on, and after that date. The requirement for third-party contractors to ensure that its employees have completed the human trafficking awareness training would apply to trainings required to be completed on or after that date. The Department of Labor would be exempted from rulemaking requirements for any human trafficking training courses developed or identified before, on, or after that date.

## **EFFECTIVE DATE**

Except as otherwise provided, House Bill 83 would be effective when it becomes law.

\*Susan Sitze, attorney with the Legislative Analysis Division, substantially contributed to this summary.