



# SENATE BILL 13: Political Terrorism Prevention Act.

2025-2026 General Assembly

**Committee:**  
**Introduced by:** Sen. Johnson  
**Analysis of:** Third Edition

**Date:** September 23, 2025  
**Prepared by:** Michael Johnston  
Staff Attorney

## **OVERVIEW:** *Senate Bill 13 would do the following:*

- *Define "politically motivated act of violence" under the Criminal Procedure Act.*
- *Create an aggravating factor for felony offenses involving politically motivated acts of violence.*
- *Create a new felony sentencing enhancement for politically motivated acts of violence.*
- *Create a new aggravating circumstance in capital prosecutions when the capital felony is committed because of a victim's political beliefs or activities and the criminal act was committed to silence political expression.*
- *Require that a notice of intent to seek the death penalty include the aggravating circumstance of political motivation, if applicable.*
- *Allow the Attorney General to assign a special prosecutor in cases involving a politically motivated act of violence.*

## **CURRENT LAW & BILL ANALYSIS:**

**Section 1** would define a "politically motivated act of violence" under the Criminal Procedure Act as "[a]ny 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 provides for aggravating factors and mitigating factors under felony sentencing law. Section 2 would add a new aggravating factor that the offense was a politically motivated act of violence.

**Section 3** would create a new felony sentencing enhancement for politically motivated acts of violence. If the State demonstrates beyond a reasonable doubt that the offense was a politically motivated act of violence as defined in this act, then all of the following would apply:

- The person would be sentenced at a felony class level one class higher than the principal felony for which the person was convicted.
- The offender would be ineligible for parole, early release, or any form of sentencing reduction.

Kara McCraw  
Director



\* S 1 3 - S M C N - 6 1 E 3 - V - 2 \*

Legislative Analysis  
Division  
919-733-2578

# Senate Bill 13

Page 2

## **Section 4**

Under G.S. 15A-2000, the jury in a capital prosecution must find and consider the existence of certain enumerated aggravating circumstances in order to recommend a sentence of death. Section 4 would add a new aggravating circumstance, specifically that 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** would require that in capital prosecutions, if the State alleges the aggravating circumstance of political motivation, the State would be required to include that aggravating circumstance in the notice of intent to seek the death penalty. Additionally, Section 5 would authorize that aggravating circumstance to be considered during capital sentencing even if the defendant pleads guilty.

**Section 6** would do the following:

- Require the district attorney to notify the Attorney General in any case involving a politically motivated act of violence.
- Authorize the Attorney General to assign a special prosecutor to any case involving a politically motivated act of violence upon request of the district attorney.
- Permit the victim or next of kin to present an impact statement during any phase of a criminal proceeding based on a politically motivated act of violence.

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