



# SENATE BILL 254: Establish Offense for Poss. of Explosive.

2025-2026 General Assembly

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<b>Committee:</b> Senate Rules and Operations of the Senate	<b>Date:</b> April 2, 2025
<b>Introduced by:</b> Sens. Daniel, Britt, B. Newton	<b>Prepared by:</b> Robert Ryan
<b>Analysis of:</b> Second Edition	Staff Attorney

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**OVERVIEW:** *Senate Bill 254 would create a new Class H felony for possession of an explosive or incendiary device or material under certain circumstances.*

**CURRENT LAW:** G.S. 14-49 provides that it is unlawful for a person to willfully and maliciously use any "explosive or incendiary device or material" to cause harm to another person or certain property. If harm is caused to another person, it is a Class D felony. If harm is caused to real or personal property, it is a Class G felony. If harm is caused to a house of worship or certain government building, it is a Class E felony.

G.S. 14-50.1 provides the following definition of explosive or incendiary device or material: "nitroglycerine, dynamite, gunpowder, other high explosive, incendiary bomb or grenade, other destructive incendiary device, or any other destructive incendiary or explosive device, compound, or formulation; any instrument or substance capable of being used for destructive explosive or incendiary purposes against persons or property, when the circumstances indicate some probability that such instrument or substance will be so used; or any explosive or incendiary part or ingredient in any instrument or substance included above, when the circumstances indicate some probability that such part or ingredient will be so used."

**BILL ANALYSIS:** Senate Bill 254 would create a Class H felony for possession of any explosive or incendiary device or material under certain circumstances. Specifically, the bill would create a new subsection in G.S. 14-49 to provide the following: "Any person who possesses any explosive or incendiary device or material with the intent to violate this section is guilty of a Class H felony."

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

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Legislative Analysis  
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