SENATE BILL 310:
Criminal Law Changes.

2025-2026 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	**Date:**	June 3, 2026
Introduced by:	Sens. Britt, B. Newton, Daniel	**Prepared by:**	Hannah Kendrick Staff Attorney
Analysis of:	Third Edition		

OVERVIEW: Senate Bill 310 would make various changes to the criminal laws of North Carolina.

CURRENT LAW AND BILL ANALYSIS:

Section 1 would create a new Class E felony for willful or wanton discharge of a weapon (i) in or on the property of another without that person's permission, (ii) on a public street or highway, or (iii) at any public place where persons other than the individual who discharged the weapon are present.

This section would become effective December 1, 2026, and would apply to offenses committed on or after that date.

Section 2 would create a new Class I felony for preparation to commit larceny from a merchant. A person would be guilty of preparation to commit larceny from a merchant if that person was found within the area of a retail establishment where goods are stored or offered for sale, with the intent to commit larceny from a merchant, and, without lawful excuse, was in possession of any of the listed devices, tools, articles, or instruments.

This section would become effective December 1, 2026, and would apply to offenses committed on or after that date.

Section 3 would increase the punishment for secret peeping into a room occupied by another as follows:

- Any person who commits a violation of this offense in which the victim is a minor would be guilty of an offense that is one class higher than the offense committed.
- Any person who commits a violation of this offense (i) in which the victim is a minor and (ii) while having custody of the minor would be guilty of an offense two classes higher than the offense committed.

This section would also clarify that an enhancement imposed under this section would also be imposed in addition to any enhancement imposed for a second or subsequent conviction.

"Custody" would be defined as in G.S. 14-27.31. "Minor" would be defined to mean an individual who is less than 18 years of age.

This section would become effective December 1, 2026, and would apply to offenses committed on or after that date.

Section 4 would increase the punishment for disrupting, disturbing, or interfering with a religious service or assembly from a Class 2 misdemeanor to a Class 1 misdemeanor for a first offense, and to a Class H felony for a second or subsequent offense.

This section would become effective December 1, 2026, and would apply to offenses committed on or after that date.

Section 5 would require a wireless telecommunications carrier to provide available phone location information to law enforcement if either of the following are asserted:

- The device was used to place a 911 call requesting emergency assistance.
- There is reasonable suspicion that the device is in the possession of a person involved in an emergency situation that involves risk of death or serious physical harm.

There would be no cause of action against a wireless telecommunications carrier for providing information pursuant to this section.

Wireless telecommunications carriers would be required to submit emergency contact information to the SBI annually by June 15, or at any time there is a change in the contact information. The SBI would be required to maintain a database of this information available to public safety answering points.

This section would become effective July 1, 2026.

Section 6 would require magistrates to provide a written explanation containing the listed criteria if the magistrate determines there is no probable cause for an implied consent offense. A copy of this form would be sent to the law enforcement agency that employed the charging officer and to the chief district court judge and district attorney for the judicial district, and would be filed with the court.

The Administrative Office of the Courts would electronically record this data and make it available upon request.

This section would become effective December 1, 2026, and would apply to initial appearances on or after that date.

Section 7 would amend G.S. 18B-302 (Sale to or purchase by underage persons) by creating a new offense. A person would be guilty of a Class F felony if that person is over the lawful age to purchase alcoholic beverages and he or she aids or abets a person under the lawful age in (i) selling alcoholic beverages to underage persons, (ii) giving alcoholic beverages to underage persons, or (iii) purchasing, possessing, or consuming alcoholic beverages, and the following apply:

- The underage person consumed the alcoholic beverage.
- Serious bodily injury to the person or another results that was proximately caused by the consumption of the alcoholic beverage.

This section would become effective December 1, 2026, and would apply to offenses committed on or after that date.

Section 8 would authorize oral fluid drug screening tests when a law enforcement officer has reasonable grounds to believe that the driver has consumed an impairing substance and has committed a moving traffic violation or been involved in an accident or collision, or when the law enforcement officer has reasonable suspicion that the driver has committed an implied consent offense. Currently, only an alcohol screening test is permitted.

This section would also direct the Department of Health and Human Services to examine and approve drug screening devices suitable for use by law enforcement. The positive or negative result of a test would be admissible in court in certain circumstances.

This section would become effective December 1, 2026, and would apply to offenses committed on or after that date.

Section 9 would expand the types of vehicles prohibited from being operated after consuming alcohol under G.S. 20-138.2B to include transportation network company (TNC) vehicles. A second or subsequent violation of this offense would result in mandatory license revocation under G.S. 20-17 and would be punishable as a Class 3 misdemeanor.

Prior to permitting an individual to act as a TNC driver, the transportation network company would have to require the individual to agree in writing that the individual will not act as a TNC driver while consuming alcohol or at any time while the individual has alcohol or controlled substances remaining in the individual's body. A TNC could not permit an individual to act as a TNC driver if the individual has been convicted within the past 7 years of a second or subsequent conviction of driving a TNC service vehicle after consuming alcohol.

A "TNC service vehicle" would be defined as a motor vehicle being operated for the purposes of providing a TNC service, as that term is defined in G.S. 20-280.1.

The provision expanding the vehicle types prohibited under G.S. 20-138.2B and the provision requiring license revocation would become effective December 1, 2026, and would apply to offenses committed on or after that date. The remainder of this section would become effective December 1, 2026.

Section 10 would allow the Division of Motor Vehicles (Division) to restore a person's driver's license after it has been revoked for at least one year following a conviction for an impaired driving offense if the person does both of the following:

- Provides the Division with a certificate of graduation from a Drug Treatment or Driving While Impaired Treatment Court Program.
- Successfully completes a Division-approved driver improvement clinic.

If the Division restores a person's license, the Division would be required to place the following restrictions, requirements, and conditions on the person for the duration of the original revocation period, in addition to any other reasonable restrictions, requirements, and conditions it chooses to impose:

- A requirement that all vehicles owned by that person be equipped with a functioning ignition interlock system.
- A restriction that the person may operate only motor vehicles equipped with a functioning ignition system of a type approved by the Commission of Motor Vehicles that is set to prohibit driving with an alcohol concentration greater than 0.02.
- A requirement that the person personally activate the ignition interlock system before driving the vehicle.

In lieu of an ignition interlock system, the Division would be permitted to impose a requirement that the person use a continuous alcohol monitoring system (CAM). The provider of the CAM would send reports to the Division.

This section would become effective December 1, 2026.

Section 11 would modify the effective date of Section 33 of S.L. 2006-253. Effective December 1, 2026, the Administrative Office of the Courts would be required to electronically record the data contained in the form required by G.S. 20-138.4 (Requirement that prosecutor explain reduction or dismissal of charge in implied-consent case) in its database and make it available upon request.

Section 12 would amend G.S. 20-141.5 (Speeding to elude arrest) by removing the provisions that currently provide the following:

- Whenever evidence is presented in any court or administrative hearing of the fact that a vehicle was operated in violation of G.S. 20-141.5, it is prima facie evidence that the vehicle was operated by the person whose name the vehicle was registered at the time of the violation. If the vehicle is rented, it is prima facie evidence that the vehicle was operated by the renter at the time of the violation.
- When the probable cause of the officer is based on the prima facie evidence set forth above, the officer will make a reasonable effort to contact the registered owner of the vehicle prior to initiating criminal process.

This section would become effective December 1, 2026, and would apply to offenses committed on or after that date.

Section 13 would provide that military-issued protective orders are admissible as evidence of the potential for future danger of acts of domestic violence against an aggrieved party during an ex parte hearing pursuant to G.S. 50B-2(c)(1).

Any person who violates a valid military protective order would be guilty of a Class A1 misdemeanor.

When (i) a law enforcement officer has probable cause to believe that a person violated a protective order, (ii) the officer determines a military protective order was also issued against that person, and (iii) the officer has probable cause to believe that the person also violated the military order, the officer must notify the agency that entered the military protective order into the National Crime Information Center registry.

"Military protective order" would be defined as a protective order issued in accordance with 10 U.S.C. 1567 by a commanding officer in the Armed Forces of the United States or the National Guard of any state against a person under that officer's command.

This section would become effective December 1, 2026, and would apply to violations issued and offenses committed on or after that date.

Section 14 would require that if a suit is maintained against a sheriff and the sheriff's surety and the surety is required to pay out on the bond, the County would reimburse the surety on behalf of the sheriff for the amount paid by the surety. The County would not bear the cost of reimbursing the surety if the conduct that gave rise to the claim against the sheriff's bond resulted in the conviction of the sheriff of a felony.

EFFECTIVE DATE: Except as otherwise provided, this act would be effective when it becomes law.