



SENATE BILL 311: The Law and Order Act.

2025-2026 General Assembly

Analysis of: S.L. 2025-71

Date: August 13, 2025

Prepared by: Legislative Analysis
Division Staff

S.L. 2025-71 (Senate Bill 311) does the following:

- Increases the punishment for committing an assault against a utility or communications worker to a Class 1 misdemeanor. This provision becomes effective December 1, 2025, and applies to offenses committed on or after that date.
- Creates new criminal offenses related to the unlawful sale and possession of embalming fluid, with the penalties ranging from a Class I felony to a Class D felony. These provisions become effective December 1, 2025, and apply to offenses committed on or after that date.
- Amends the Workplace Violence Prevention laws to include mass picketing and allows an employer who has suffered unlawful conduct at the workplace to obtain a civil no-contact order. These provisions became effective July 9, 2025, and apply to acts or omissions occurring on or after that date.
- Establishes an offense for entering a part of a building not open to the public with the intent to commit an unlawful act, with a first offense being a Class 1 misdemeanor and any subsequent offenses being a Class I felony. This provision becomes effective December 1, 2025, and applies to offenses committed on or after that date.
- Establishes the offense of larceny of gift cards, which is punishable as a Class 1 misdemeanor if the value of the gift card is not more than \$1,000. Any other violation is punishable as a Class H felony. This provision becomes effective December 1, 2025, and applies to offenses committed on or after that date.
- Revises the organized retail theft offense laws to include offenses involving gift cards, with the penalty ranging from a Class H felony to a Class C felony depending on the aggregate value of gift cards stolen. This provision becomes effective December 1, 2025, and applies to offenses committed on or after that date.
- Provides civil liability for the new offense of larceny of gift cards. This provision becomes effective December 1, 2025, and applies to offenses committed on or after that date.
- Creates a new Class H felony for possession of an explosive or incendiary device or material under certain circumstances. This provision becomes effective December 1, 2025, and applies to offenses committed on or after that date.
- Increases the penalty for reckless driving to a Class 1 misdemeanor if the reckless driving causes serious injury and a Class A1 misdemeanor if the reckless driving causes serious bodily injury. This provision becomes effective December 1, 2025, and applies to offenses committed on or after that date.

Kara McCraw
Director



Legislative Analysis
Division
919-733-2578

Senate Bill 311

Page 2

- Increases the penalty for unlawful street racing to a Class H felony if the speed competition causes serious injury and a Class G felony if the speed competition causes serious bodily injury or death and increases the penalties for hit and run offenses that result in death. These provisions become effective December 1, 2025, and apply to offenses committed on or after that date.
- Amends the current statute on possession of a firearm or weapon of mass death and destruction by a felon to create additional offenses:
 - Possession of a firearm or weapon of mass death and destruction by a felon during the commission or attempted commission of certain felonies is a Class F felony.
 - Possession and brandishing of a firearm or weapon of mass death and destruction by a felon during the commission or attempted commission of certain felonies is a Class D felony.
 - Possession and discharge of a firearm or weapon of mass death and destruction by a felon during the commission or attempted commission of certain felonies is a Class C felony.

These provisions become effective December 1, 2025, and apply to offenses committed on or after that date.

- Enhances the punishment for larceny of mail by requiring a person convicted of larceny to be sentenced at one class level higher than the principal offense if the larceny is of mail. This provision becomes effective December 1, 2025, and applies to offenses committed on or after that date.
- Revises the offenses of first and second degree burglary and creates an enhancement for burglary when committed by a person in possession of a firearm, revises the offense of breaking out of a dwelling and creates an enhancement when committed by a person in possession of a firearm, and creates an enhancement for the offense of breaking or entering buildings generally when committed by a person in possession of a firearm. These provisions become effective December 1, 2025, and apply to offenses committed on or after that date.
- Establishes a mitigating factor for certain persons charged with impaired driving who voluntarily equip and operate a motor vehicle with an ignition interlock system prior to trial. This provision becomes effective December 1, 2025, and applies to offenses committed on or after that date.
- Prohibits the use of immobilization devices on commercial motor vehicles for parking enforcement purposes. A violation of this provision is a Class 2 misdemeanor. This provision becomes effective December 1, 2025, and applies to offenses committed on or after that date.
- Requires towers of a nonconsensual tow or a tow pursuant to the direction of a law enforcement officer to promptly return commercial cargo to the owner of the commercial cargo upon request and provides for circumstances under which a tower must allow for a trailer swap. This provision became effective July 9, 2025.
- Reduces the waiting period to obtain eligibility to petition to expunge one nonviolent misdemeanor to three years. This provision became effective July 9, 2025, and applies to petitions filed on or after that date.

Except as otherwise provided, this act became effective July 9, 2025.

Section 8 of S.L. 2025-71, which creates new offenses regarding possession of a firearm or weapon of mass death and destruction by a felon, is similar to the provisions in Section 15.5 and Section 15.6 of Senate Bill 50. Senate Bill 50 was ratified by the General Assembly on June 12, 2025, and vetoed by the Governor on June 20, 2025.