



This Bill Analysis reflects the contents of the bill as it was presented in committee.

SENATE BILL 58: AG/Restrict Challenge to Presidential EOs.

2025-2026 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	February 26, 2025
Introduced by:	Sens. Settle, Hanig, Moffitt	Prepared by:	Amy Darden Staff Attorney
Analysis of:	First Edition		

OVERVIEW: Senate Bill 58 would prohibit the North Carolina Attorney General from advancing any argument in any action pending in a state or federal court in another state that would result in the invalidation of any executive order of the President of the United States.

[As introduced, this bill was identical to H72, as introduced by Reps. Kidwell, Gable, Eddins, Moss, which is currently in House Federal Relations and American Indian Affairs.]

CURRENT LAW: Article III, Sec. 7, of the North Carolina Constitution provides that the Attorney General is elected Statewide and serves a four-year term; only licensed attorneys may serve as Attorney General; and the Attorney General's duties are as prescribed by law.

G.S. 114-2.8 prohibits the Attorney General from advancing any argument in any action pending before a state or federal court in another state in any manner that would result in the invalidation of any statute enacted by the General Assembly.

BILL ANALYSIS: Senate Bill 58 would amend G.S. 114-2.8 to prohibit the North Carolina Attorney General from advancing any argument in any pending action before a state or federal court in another state that would result in the invalidation of any executive order issued by the President of the United States.

EFFECTIVE DATE: This bill would become effective when it becomes law and apply to actions filed or commenced on or after that date.

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