GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

SESSION LAW 2025-70
SENATE BILL 429

AN ACT TO MAKE VARIOUS CHANGES RELATED TO THE CRIMINAL LAWS OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

CREATE NEW CRIMINAL OFFENSE FOR EXPOSING A CHILD TO A CONTROLLED SUBSTANCE

SECTION 1.(a) Article 39 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"**§ 14-318.7. Exposing a child to a controlled substance.**

(a) Definitions. – The following definitions apply in this section:

(1) Child. – Any person who is less than 16 years of age.

(2) Controlled substance. – A controlled substance, controlled substance analogue, drug, marijuana, narcotic drug, opiate, opioid, opium poppy, poppy straw, or targeted controlled substance, all as defined in G.S. 90-87.

(3) Ingest. – Any means used to take into the body, to eat or drink, or otherwise consume or absorb into the body in any way.

(b) A person who knowingly, intentionally, or with reckless disregard for human life causes or permits a child to be exposed to a controlled substance is guilty of a Class H felony.

(c) A person who knowingly, intentionally, or with reckless disregard for human life causes or permits a child to be exposed to a controlled substance and, as a result, the child ingests the controlled substance is guilty of a Class E felony.

(d) A person who knowingly, intentionally, or with reckless disregard for human life causes or permits a child to be exposed to a controlled substance and, as a result, the child ingests the controlled substance, resulting in serious physical injury as defined in G.S. 14-318.4, is guilty of a Class D felony.

(e) A person who knowingly, intentionally, or with reckless disregard for human life causes or permits a child to be exposed to a controlled substance and, as a result, the child ingests the controlled substance, resulting in serious bodily injury as defined in G.S. 14-318.4, is guilty of a Class C felony.

(f) A person who knowingly, intentionally, or with reckless disregard for human life causes or permits a child to be exposed to a controlled substance and, as a result, the child ingests the controlled substance, and the ingestion is the proximate cause of death, is guilty of a Class B1 felony.

(g) The punishments set forth in subsections (b) through (f) of this section apply unless the conduct is covered under some other provision of law providing greater punishment.

(h) This section does not apply to a person that intentionally gives a child a controlled substance that has been prescribed for the child by a licensed medical professional when given to the child in the prescribed amount and manner."

SECTION 1.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

REVISE LAWS PERTAINING TO THE DISCLOSURE AND RELEASE OF AUTOPSY INFORMATION COMPILED OR PREPARED BY THE OFFICE OF THE CHIEF MEDICAL EXAMINER

SECTION 2.(a) G.S. 130A-385 reads as rewritten:

"**§ 130A-385. Duties of medical examiner upon receipt of notice; reports; copies.**

…

(d) Upon request by the district attorney, the Office of the Chief Medical Examiner, the local medical examiner, and the autopsy center, as applicable, shall provide a complete copy of the medical examiner investigation file to the appropriate district attorney. For purposes of this subsection, the "medical examiner investigation file" means the finalized toxicology report, the finalized autopsy report, any autopsy examination notes, any death scene notes, the finalized report of investigation of a medical examiner, the case encounter form, any case comments, any case notes, any autopsy photographs, any scene photographs, and any video or audio recordings of the autopsy examination in the custody and control of the North Carolina Office of the Chief Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical examiner appointed under G.S. 130A-382, ~~or~~ an investigating medical ~~examiner~~ examiner, or an autopsy center in connection with a death under criminal investigation by a public law enforcement agency. Each records custodian ~~shall be~~ is responsible for providing the portions of the medical examiner investigation file within its custody and control. This is a continuing disclosure obligation, and each records custodian shall provide to the district attorney any records or other materials responsive to the district attorney's request that are discovered or added to the medical examiner investigation file after the request ~~was made shall also be provided to the district attorney.~~ has been made. The district attorney or investigating law enforcement agency shall inform the Chief Medical ~~Examiner, the county medical examiner, or the autopsy center,~~ Examiner, the county medical examiner appointed under G.S. 130A-382, the investigating medical examiner, and the autopsy center, as applicable, ~~if~~ when the death is no longer under criminal investigation and the continuing disclosure obligation ~~is~~ has terminated.

(d1) Upon notice from the investigating public law enforcement agency or prosecuting district attorney that a death is under criminal investigation or the subject of a criminal prosecution, any records, worksheets, reports, photographs, tests, or analyses compiled, prepared, or conducted by the Office of the Chief Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical examiner appointed under G.S. 130A-382, an investigating medical examiner, or an autopsy center, including any autopsy photographs or video or audio recordings, related to that death shall be treated as records of criminal investigations pursuant to G.S. 132-1.4. Autopsy photographs or video or audio records subject to the provisions of this subsection may only be disclosed or released pursuant to G.S. 130A-389.1. These records may only be disclosed or released as follows and recipients of records pursuant to the following subdivisions may not disclose the identified records to the public unless otherwise authorized by law:

(1) The custodian of the finalized toxicology report, finalized autopsy report, or finalized report of investigation of a medical examiner may release a copy at a time and location determined by the custodial agency (i) to a personal representative of the decedent's estate to enable the personal representative to fulfill his or her duties under the law, (ii) to a beneficiary of a benefit or claim associated with the decedent for purposes of receiving the benefit or resolving the claim, or (iii) to the decedent's spouse, child or stepchild, parent or stepparent, sibling, or legal guardian.

(2) The Office of the Chief Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical examiner appointed under G.S. 130A-382, an investigating medical examiner, or an autopsy center is not prohibited from disclosing or releasing information or reports when necessary

to conduct a thorough and complete death investigation, to consult with outside physicians and other professionals during the death investigation, and to conduct necessary toxicological screenings.

(3) When disclosing information to the investigating public law enforcement agency or prosecuting district attorney.

(4) When disclosing or releasing information or reports is necessary (i) to address public health or safety concerns, (ii) for public health purposes, including public health surveillance, investigations, interventions, and evaluations, (iii) to facilitate research, (iv) to facilitate education, (v) to release decedent remains to transporters, funeral homes, family members, or others for final disposition, (vi) to comply with reporting requirements under State or federal law or in connection with State or federal grants, or (vii) to comply with any other duties imposed by law.

(d2) Records and materials subject to the provisions of subsection (d1) of this section shall continue to be records of criminal investigations pursuant to G.S. 132-1.4 until the Office of the Chief Medical Examiner, county medical examiner, or autopsy center that is custodian of the records (i) receives notification from the investigating public law enforcement agency or the prosecuting district attorney of the conclusion of the criminal investigation or prosecution or the decision to terminate the criminal investigation of the death or (ii) receives notification from the prosecuting district attorney that some portion of the records or materials have been introduced as evidence in a public trial. The notification required by this section shall be made on a form created by the Administrative Office of the Courts and completed by either the investigating public law enforcement agency or the prosecuting district attorney. The Chief Medical Examiner, county medical examiner, or autopsy center may rely on a completed notification form conveyed by a third party. The Office of the Chief Medical Examiner and its staff, the county medical examiner, and the autopsy center and its staff shall have no criminal or civil liability for relying on a notice provided pursuant to this subsection.

(d3) Except as provided in subsection (d4) of this section, any records, worksheets, reports, photographs, tests, or analyses compiled, prepared, or conducted by the Office of the Chief Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical examiner appointed under G.S. 130A-382, an investigating medical examiner, or an autopsy center in connection with the death of a child who was under 18 years of age at the time of death, including any autopsy photographs or video or audio recordings, are confidential and may be disclosed or released only with the prior written consent of the deceased child's parent or guardian or as follows:

(1) The custodian of the finalized autopsy report, finalized toxicology report, or finalized report of investigation of a medical examiner may release a copy at a time and location determined by the custodial agency to (i) a personal representative of the decedent's estate to enable the personal representative to fulfill his or her duties under the law or (ii) a beneficiary of a benefit or claim associated with the decedent for purposes of receiving the benefit or resolving the claim.

(2) The Office of the Chief Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical examiner appointed under G.S. 130A-382, an investigating medical examiner, or an autopsy center is not prohibited from disclosing or releasing information or reports when necessary to conduct a thorough and complete death investigation, to consult with outside physicians and other professionals during the death investigation, and to conduct necessary toxicology screenings.

(3) When disclosing or releasing information or reports is necessary (i) to address public health or safety concerns, (ii) for public health purposes, including

public health surveillance, investigations, interventions, and evaluations, (iii) to facilitate research, (iv) to facilitate education, (v) to release decedent remains to transporters, funeral homes, family members, or others for final disposition, (vi) to comply with reporting requirements under State or federal law or in connection with State or federal grants, or (vii) to comply with any other duties imposed by law.

(4) The custodian of the finalized autopsy report, finalized toxicology report, finalized report of investigation of a medical examiner, and any related documents shall, upon request, release copies of the report and those documents to the surviving spouse of the deceased, the deceased's parents, any adult children of the deceased, any legal guardian or custodian of the deceased, any legal guardian or custodian of a child of the deceased, or any person holding power of attorney or healthcare attorney for the deceased.

(5) The legal representatives of any person authorized to receive records under this section.

Notwithstanding the provisions of this subsection, any materials that are subject to the provisions of subsection (d1) of this section may only be disclosed pursuant to that subsection while the death is under criminal investigation by a public law enforcement agency or during the pendency of criminal charges associated with a death.

(d4) When any records or materials are subject to the provisions of both subsections (d1) and (d3) of this section, the records and materials shall not be disclosed or released except as authorized by subsection (d1) of this section until the Office of the Chief Medical Examiner, county medical examiner, or autopsy center that is custodian of the records or materials has received notification of the conclusion of the criminal investigation or prosecution, the decision to terminate the criminal investigation of the death, or that some portion of the records or materials have been introduced as evidence in a public trial pursuant to subsection (d2) of this section.

(d5) Any person who willfully and knowingly discloses or releases records or materials in violation of subsection (d1) or (d3) of this section, or who willfully and knowingly possesses or disseminates records or materials that were disclosed or released in violation of subsection (d1) or (d3) of this section, is guilty of a Class 1 misdemeanor; provided, however, that more than one occurrence of disclosure, release, possession, or dissemination of the same item by the same person is not a separate offense. No person shall be guilty of a Class 1 misdemeanor under this subsection for disclosing, releasing, possessing, or disseminating records or materials if, at the time of the disclosure, release, possession, or dissemination, notice that the record or material is record of a criminal investigation had not been provided as required by subsection (d1) of this section. A person who discloses or releases information pursuant to subsection (d3) of this section in reliance on the written consent of an individual who represents to be the child's parent or guardian and who acts in good faith without actual knowledge that the representation is false will not be subject to civil or criminal liability. As used in this subsection, the term "disclose" means the act of making records or materials available for viewing or listening by a person or entity upon request, at a time and location chosen by the custodial agency, and the term "release" means the act of the custodial agency in providing a copy of records or materials.

(d6) Any other person or entity seeking disclosure or release of records or materials covered under subsection (d1) or (d3) of this section may commence a special proceeding in the superior court of the county where the death that is the subject of the records or materials occurred to obtain a court order for disclosure or release of the records or materials. The court may conduct an in-camera review of the records or materials. Upon a showing of good cause, a superior court judge may issue an order authorizing the disclosure or release of the records or materials and may prescribe any restrictions or stipulations that the superior court judge deems appropriate. The petitioner shall provide reasonable notice of the commencement of the special proceeding

and reasonable notice of the opportunity to be present and heard at any hearing on the matter in accordance with Rule 5 of the Rules of Civil Procedure. The notice shall be provided, in writing, to all of the following:

(1) The Office of the Chief Medical Examiner.

(2) The district attorney of the county in which the death occurred.

(3) The personal representative of the estate of the deceased, if any.

(4) If the record or material is subject to the provisions of subsection (d1) of this section, the surviving spouse of the deceased. If there is no surviving spouse, then the notice shall be provided to the deceased's parents, and if the deceased has no living parent, then to the adult child of the deceased or to the guardian or custodian of a minor child of the deceased.

(5) If the record or material is subject to the provisions of subsection (d2) of this section, to the deceased child's parents or guardian.

In determining good cause, the judge shall consider whether the disclosure or release is necessary for the public evaluation of governmental performance, the seriousness of the intrusion into the family's right to privacy, whether the requested disclosure or release is the least intrusive means available, the need to withhold the records to facilitate the investigation or prosecution of criminal offenses, the rights of the defendant in any ongoing criminal investigation or prosecution, the public interest in having access to the records or materials, and the availability of similar information in other public records, regardless of form. A party aggrieved by an order of the superior court authorized by this subsection may appeal in accordance with Article 27 of Chapter 1 of the General Statutes.

(d7) Any person or entity seeking disclosure or release of records or materials covered under subsection (d1) or (d3) of this section who is alleging that the criminal investigation or prosecution has concluded or been terminated, or that portions of the records or material have been introduced as evidence in a public trial, but that the investigating public law enforcement agency or prosecuting district attorney will not comply with the notification required pursuant to subsection (d2) of this section may commence a special proceeding in the superior court of the county where the death that is the subject of the records or materials occurred for an order compelling disclosure or release of the records or materials.

In any action brought pursuant to this section in which a party successfully compels the disclosure of records or materials, the court shall allow a party seeking disclosure of records or materials who substantially prevails to recover its reasonable attorneys' fees if attributed to those records or materials. The court may not assess attorneys' fees against the governmental body or governmental unit if the court finds that the governmental body or governmental unit acted in reasonable reliance on any of the following:

(1) A judgment or an order of a court applicable to the governmental unit or governmental body.

(2) The published opinion of an appellate court, an order of the North Carolina Business Court, or a final order of the Trial Division of the General Court of Justice.

(3) A written opinion, decision, or letter of the Attorney General.

Any attorneys' fees assessed against a public agency under this section shall be charged against the operating expenses of the agency; provided, however, that the court may order that all or any portion of any attorneys' fees so assessed be paid personally by any public employee or public official found by the court to have knowingly or intentionally committed, caused, permitted, suborned, or participated in a violation of this Article. No order against any public employee or public official shall issue in any case where the public employee or public official seeks the advice of an attorney and such advice is followed.

If the court determines that an action brought pursuant to this section was filed in bad faith or was frivolous, the court shall assess a reasonable attorneys' fee against the person or persons instituting the action and award it to the public agency as part of the costs.

(e) In cases where death occurred due to an injury received in the course of the decedent's employment, the Chief Medical Examiner shall forward to the Commissioner of Labor a copy of the medical examiner's report of the investigation, including the location of the fatal injury and the name and address of the decedent's employer at the time of the fatal injury. The Chief Medical Examiner shall forward this report within 30 days of receipt of the information from the medical examiner. Upon written request by the Commissioner of Labor, the Chief Medical Examiner shall provide the finalized autopsy report within five months of the date of the request.

(f) If a death occurred in a facility licensed subject to Article 2 or Article 3 of Chapter 122C of the General Statutes, or Articles 1 or 1A of Chapter 131D of the General Statutes, and the deceased was a client or resident of the facility or a recipient of facility services at the time of death, then the Chief Medical Examiner shall forward a copy of the medical examiner's report to the Secretary of Health and Human Services within 30 days ~~of~~ after receipt of the report from the medical examiner."

SECTION 2.(b) G.S. 130A-389(a) reads as rewritten:

"(a) The Chief Medical Examiner or a competent pathologist designated by the Chief Medical Examiner shall perform an autopsy or other study in each of the following cases:

(1) If, in the opinion of the medical examiner investigating the case or of the Chief Medical Examiner, it is advisable and in the public interest that an autopsy or other study be made.

(2) If an autopsy or other study is requested by the district attorney of the county or by any superior court judge.

(3) Notwithstanding subdivision (2) of this subsection, in any case in which the district attorney of the county asserts to the Chief Medical Examiner or the medical examiner of the county in which the body was located that there is probable cause to believe that a violation of G.S. 14-18.4 has occurred, a complete autopsy shall be performed. The district attorney has at least 72 weekday hours after pronouncement of death by a person authorized under this Part to express the opinion that death has occurred to make the assertion required by this subdivision, provided that the district attorney or the investigating law enforcement agency provides notification within the first 24 hours after the pronouncement that such an assertion might be made. The district attorney may, but is not required to, assert to the Chief Medical Examiner the facts supporting probable cause to believe that a violation of G.S. 14-18.4 has occurred.

A complete autopsy report of findings and interpretations, prepared on forms designated for the purpose, shall be submitted promptly to the Chief Medical Examiner. Subject to the limitations of G.S. 130A-389.1 relating to photographs and video or audio recordings of an autopsy, a copy of the report shall be furnished to any person upon ~~request.~~request unless the report is protected from disclosure or release under subsection (d1) or (d3) of G.S. 130A-385."

SECTION 2.(c) G.S. 130A-389.1 reads as rewritten:

"**§ 130A-389.1. Photographs and video or audio recordings made pursuant to autopsy.**

(a) Except as otherwise provided by ~~law,~~ law and excluding (i) any records or materials treated as records of criminal investigations under G.S. 130A-385(d1) and (ii) any confidential materials in connection with the death of a child who was under 18 years of age at the time of death that a parent or guardian elects to protect from disclosure or release under G.S. 130A-385(d3), any person may inspect and examine original photographs or video or audio recordings of an autopsy performed pursuant to G.S. 130A-389(a) at reasonable times and under reasonable supervision of the custodian of the photographs or recordings. Except as otherwise

provided by this section, no custodian of the original recorded images shall furnish copies of photographs or video or audio recordings of an autopsy to the public. For purposes of this section, the Chief Medical Examiner shall be the custodian of all autopsy photographs or video or audio recordings unless the photographs or recordings were taken by or at the direction of an investigating medical examiner and the investigating medical examiner retains the original photographs or recordings. ~~If~~ Except in cases in which the records or materials are protected from disclosure or release under subsection (d1) or (d3) of G.S. 130A-385, if the investigating medical examiner has retained the original photographs or recordings, then the investigating medical examiner is the custodian of the photographs or video or audio recordings and ~~must~~ shall allow the public to inspect and examine them in accordance with this subsection.

…

(d) A person who is denied access to copies of photographs or video or audio recordings, or who is restricted in the use the person may make of the photographs or video or audio recordings under this section, may commence a special proceeding in accordance with Article 33 of Chapter 1 of the General Statutes. Upon a showing of good cause, the clerk may issue an order authorizing the person to copy or disclose a photograph or video or audio recording of an autopsy and may prescribe any restrictions or stipulations that the clerk deems appropriate. In determining good cause, the clerk shall consider whether the disclosure is necessary for the public evaluation of governmental performance; the seriousness of the intrusion into the family's right to privacy and whether the disclosure is the least intrusive means available; and the availability of similar information in other public records, regardless of form. In all cases, the viewing, copying, listening to, or other handling of a photograph or video or audio recording of an autopsy shall be under the direct supervision of the Chief Medical Examiner or the Chief Medical Examiner's designee. A party aggrieved by an order of the clerk may appeal to the appropriate court in accordance with Article 27A of Chapter 1 of the General Statutes. This subsection does not apply to autopsy photographs or video or audio recordings that are (i) treated as records of criminal investigations under G.S. 130A-385(d1), which may be disclosed or released to other persons or entities only in accordance with G.S. 130A-385(d2) or (d6), or (ii) of a deceased child that was under 18 years of age at the time of death that a parent or guardian elects to protect from disclosure or release under G.S. 130A-385(d3), which may be disclosed or released to other persons or entities only with the prior consent of the deceased child's parent or guardian, or in accordance with G.S. 130A-385(d6).

…."

SECTION 2.(d) G.S. 132-1.8 reads as rewritten:

"**§ 132-1.8. Confidentiality of photographs and video or audio recordings made pursuant to autopsy.**

Except as otherwise provided in G.S. 130A-389.1, a photograph or video or audio recording of an official autopsy is not a public record as defined by G.S. 132-1. However, the text of an official autopsy report, including any findings and interpretations prepared in accordance with G.S. 130A-389(a), is a public record and fully accessible by the ~~public.~~ public, unless the report is protected from disclosure or release under subsection (d1) or (d3) of G.S. 130A-385. For purposes of this section, an official autopsy is an autopsy performed pursuant to G.S. 130A-389(a)."

SECTION 2.(e) This section becomes effective October 1, 2025.

INCREASE THE PUNISHMENT FOR COMMITTING THE OFFENSE OF SOLICITATION OF MINORS BY COMPUTER

SECTION 3.(a) G.S. 14-202.3(c) reads as rewritten:

"(c) Punishment. – A violation of this section is punishable as follows:

(1) ~~A~~ Except as otherwise provided in this subsection, a first violation of this section is a ~~Class H felony except as provided by subdivision (2) of this~~

~~subsection.~~Class G felony. A second or subsequent violation of this section, or a first violation of this section committed when the defendant had a prior conviction in any federal or state court in the United States that is substantially similar to the offense set forth in this section, is a Class E felony.

(2) If either the defendant, or any other person for whom the defendant was arranging the meeting in violation of this section, actually appears at the meeting location, then the violation is a ~~Class G felony.~~Class D felony."

SECTION 3.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

REVISE THE LAW GOVERNING THE GRANTING OF IMMUNITY TO WITNESSES

SECTION 4.(a) G.S. 15A-1052(b) reads as rewritten:

"(b) The application may be made whenever, in the judgment of the district attorney, the witness has asserted or is likely to assert ~~his~~ the witness's privilege against self-incrimination and ~~his~~ the witness's testimony or other information is or will be necessary to the public interest. ~~Before making application to the judge, the district attorney must inform the Attorney General, or a deputy or assistant attorney general designated by him, of the circumstances and his intent to make an application.~~"

SECTION 4.(b) G.S. 15A-1053(b) reads as rewritten:

"(b) The application may be made when the district attorney has been informed by the foreman of the grand jury that the witness has asserted ~~his~~ the witness's privilege against self-incrimination and the district attorney determines that the testimony or other information is necessary to the public interest. ~~Before making application to the judge, the district attorney must inform the Attorney General, or a deputy or assistant attorney general designated by him, of the circumstances and his intent to make an application.~~"

SECTION 4.(c) This section is effective when it becomes law and applies to applications made on or after that date.

REQUIRE CERTAIN PETITIONS PERTAINING TO SEX OFFENDER REGISTRATION BE PLACED ON THE CRIMINAL DOCKET

SECTION 5.(a) G.S. 14-208.12A reads as rewritten:

"**§ 14-208.12A. Request for termination of registration requirement.**

(a) Ten years from the date of initial county registration, a person required to register under this Part may petition the superior court to terminate the 30-year registration requirement if the person has not been convicted of a subsequent offense requiring registration under this Article.

If the reportable conviction is for an offense that occurred in North Carolina, the petition shall be filed in the district where the person was convicted of the offense.

If the reportable conviction is for an offense that occurred in another state, the petition shall be filed in the district where the person resides. A person who petitions to terminate the registration requirement for a reportable conviction that is an out-of-state offense shall also do the following: (i) provide written notice to the sheriff of the county where the person was convicted that the person is petitioning the court to terminate the registration requirement and (ii) include with the petition at the time of its filing, an affidavit, signed by the petitioner, that verifies that the petitioner has notified the sheriff of the county where the person was convicted of the petition and that provides the mailing address and contact information for that sheriff.

Regardless of where the offense occurred, if the defendant was convicted of a reportable offense in any federal court, the conviction will be treated as an out-of-state offense for the purposes of this section.

The clerk of the court, upon receipt of the petition, shall collect the applicable filing fee and place the petition on the criminal docket to be calendared by the district attorney pursuant to G.S. 7A-49.4.

(a1) The court may grant the relief if:

(1) The petitioner demonstrates to the court that he or she has not been arrested for any crime that would require registration under this Article since completing the sentence,

(2) The requested relief complies with the provisions of the federal Jacob Wetterling Act, as amended, and any other federal standards applicable to the termination of a registration requirement or required to be met as a condition for the receipt of federal funds by the State, and

(3) The court is otherwise satisfied that the petitioner is not a current or potential threat to public safety.

(a2) The district attorney in the district in which the petition is filed shall be given notice of the petition at least three weeks before the hearing on the matter. The hearing shall be calendared during a criminal session of superior court. The petitioner may present evidence in support of the petition and the district attorney may present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied.

…

(d) Fee. – A person who files a petition to terminate the 30-year requirement under this section shall pay the civil filing fee at the time the petition is filed. This subsection does not apply to petitions filed by an indigent."

SECTION 5.(b) G.S. 14-208.12B reads as rewritten:

"**§ 14-208.12B. Registration requirement review.**

…

(b) The petition shall be filed in the county in which the person resides using a form created by the Administrative Office of the Courts. The petition must be filed with the clerk of court within 30 days of the person's receipt of the notification of the requirement to register from the sheriff. The person filing the petition must serve a copy of the petition on the office of the district attorney and the sheriff in the county where the person resides within three days of filing the petition with the clerk of court. The petition shall be calendared during a criminal session at the next regularly scheduled term of superior court. At the first setting, the petitioner must be advised of the right to have counsel present at the hearing and to the appointment of counsel if the petitioner cannot afford to retain counsel. Appointment of counsel shall be in accordance with rules adopted by the Office of Indigent Defense Services.

…

(j) Fee. – A person who files a petition for a judicial determination of the requirement to register under this section shall pay the civil filing fee at the time the petition is filed. This subsection does not apply to petitions filed by an indigent."

SECTION 5.(c) This section becomes effective December 1, 2025, and applies to petitions filed on or after that date.

ALLOW PERSONS OUTSIDE OF THIS STATE TO FILE FOR A DOMESTIC VIOLENCE PROTECTION ORDER

SECTION 6.(a) G.S. 50B-2(a) reads as rewritten:

"(a) Any person residing in this ~~State~~ State, or seeking relief for acts that have occurred in this State, may seek relief under this Chapter by filing a civil action or by filing a motion in any existing action filed under Chapter 50 of the General Statutes alleging acts of domestic violence against himself or herself or a minor child who resides with or is in the custody of such person. Any aggrieved party entitled to relief under this Chapter may file a civil action and proceed pro se, without the assistance of legal counsel. The district court division of the General Court of

Justice shall have original jurisdiction over actions instituted under this Chapter. Any action for a domestic violence protective order requires that a summons be issued and served. The summons issued pursuant to this Chapter shall require the defendant to answer within 10 days of the date of service. Attachments to the summons shall include the complaint, notice of hearing, any temporary or ex parte order that has been issued, and other papers through the appropriate law enforcement agency where the defendant is to be served. In compliance with the federal Violence Against Women Act, no court costs or attorneys' fees shall be assessed for the filing, issuance, registration, or service of a protective order or petition for a protective order or witness subpoena, except as provided in G.S. 1A-1, Rule 11."

SECTION 6.(b) This section becomes effective December 1, 2025, and applies to civil actions or motions filed on or after that date.

REVISE REQUIREMENT UNDER THE CRIME VICTIMS COMPENSATION ACT THAT CRIMINALLY INJURIOUS CONDUCT BE REPORTED TO LAW ENFORCEMENT WITHIN 72 HOURS OF ITS OCCURRENCE

SECTION 7.(a) G.S. 15B-11(a) reads as rewritten:

"(a) An award of compensation shall be denied ~~if:~~if any of the following apply:

(1) The claimant fails to file an application for an award within two years after the date of the criminally injurious conduct that caused the injury or death for which the claimant seeks the ~~award;~~award.

(2) The economic loss is incurred after one year from the date of the criminally injurious conduct that caused the injury or death for which the victim seeks the award, except in the case where the victim for whom compensation is sought was 10 years old or younger at the time the injury occurred. In that case an award of compensation will be denied if the economic loss is incurred after two years from the date of the criminally injurious conduct that caused the injury or death for which the victim seeks the ~~award;~~award.

(3) The criminally injurious conduct was not reported to a law enforcement officer or agency within ~~72 hours~~ six months of its occurrence, and there was no good cause for the ~~delay;~~delay.

(4) The award would benefit the offender or the offender's accomplice, unless a determination is made that the interests of justice require that an award be approved in a particular ~~case;~~case.

(5) The criminally injurious conduct occurred while the victim was confined in any State, county, or city prison, correctional, youth services, or juvenile facility, or local confinement facility, or half-way house, group home, or similar ~~facility; or~~facility.

(6) The victim was participating in a felony at or about the time that the victim's injury occurred."

SECTION 7.(b) This section is effective when it becomes law and applies to applications filed on or after that date.

REVISE CRIMINAL OFFENSE OF SECRETLY PEEPING INTO ROOM OCCUPIED BY ANOTHER PERSON

SECTION 8.(a) G.S. 14-202 reads as rewritten:

"**§ 14-202. Secretly peeping into room occupied by another person.**

(a) Any person who shall peep secretly into any room occupied by another person shall be guilty of a Class 1 misdemeanor.

(a1) Unless covered by another provision of law providing greater punishment, any person who secretly or surreptitiously peeps underneath or through the clothing being worn by another person, through the use of a mirror or other device, for the purpose of viewing the body of, or the

undergarments worn by, that other person without their consent shall be guilty of a Class 1 misdemeanor.

(b) ~~For purposes of this section:~~The following definitions apply in this section:

(1) ~~The term "photographic image" means any~~ Photographic image. – Any photograph or photographic reproduction, still or moving, or any videotape, motion picture, or live television transmission, or any digital image of any individual.

(2) ~~The term "room" shall include,~~ Private area of an individual. – The naked or undergarment clad genitals, pubic area, buttocks, or female breast of that individual.

(3) Room. – Includes, but is not limited to, a bedroom, a rest room, a bathroom, a shower, ~~and~~ a dressing ~~room.~~room, a dressing stall, a cubicle, or other similar area designed to provide privacy.

(4) Under circumstances in which that individual has a reasonable expectation of privacy. – Means either of the following:

a. Circumstances in which a reasonable person would believe that he or she could disrobe in privacy, without being concerned that a photographic image of a private area of the individual was being created.

b. Circumstances in which a reasonable person would believe that a private area of the individual would not be visible to the public, regardless of whether that person is in a public or private place.

(c) Unless covered by another provision of law providing greater punishment, any person who, while in possession of any device which may be used to create a photographic ~~image,~~ image and with the intent to create a photographic image, shall secretly peep into any room shall be guilty of a Class A1 misdemeanor.

(d) Unless covered by another provision of law providing greater punishment, any person who, while secretly peeping into any room, uses any device to create a photographic image of another person in that room for the purpose of arousing or gratifying the sexual desire of any person shall be guilty of a Class I felony.

~~(e) Any person who secretly or surreptitiously uses any device to create a photographic image of another person underneath or through the clothing being worn by that other person for the purpose of viewing the body of, or the undergarments worn by, that other person without their consent shall be guilty of a Class I felony.~~

(e1) Unless covered under some other provision of law providing greater punishment, any person who, with the intent to create a photographic image of a private area of an individual without the individual's consent, knowingly does so under circumstances in which the individual has a reasonable expectation of privacy shall be guilty of a Class I felony.

(f) Any person who, for the purpose of arousing or gratifying the sexual desire of any person, secretly or surreptitiously uses or installs in a room any device that can be used to create a photographic image with the intent to capture the image of another without their consent shall be guilty of a Class I felony.

(g) Any person who knowingly possesses a photographic image that the person knows, or has reason to believe, was obtained in violation of this section shall be guilty of a Class I felony.

(h) Any person who disseminates or allows to be disseminated images that the person knows, or should have known, were obtained as a result of the violation of this section shall be guilty of a Class H felony if the dissemination is without the consent of the person in the photographic image.

(i) A second or subsequent felony conviction under this section shall be punished as though convicted of an offense one class higher. A second or subsequent conviction for a Class

1 misdemeanor shall be punished as a Class A1 misdemeanor. A second or subsequent conviction for a Class A1 misdemeanor shall be punished as a Class I felony.

(j) If the defendant is placed on probation as a result of violation of this section:

(1) For a first conviction under this section, the judge may impose a requirement that the defendant obtain a psychological evaluation and comply with any treatment recommended as a result of that evaluation.

(2) For a second or subsequent conviction under this section, the judge shall impose a requirement that the defendant obtain a psychological evaluation and comply with any treatment recommended as a result of that evaluation.

(k) Any person whose image is captured or disseminated in violation of this section has a civil cause of action against any person who captured or disseminated the image or procured any other person to capture or disseminate the image and is entitled to recover from those persons actual damages, punitive damages, reasonable attorneys' fees and other litigation costs reasonably incurred.

(*l*) When a person violates subsection (d), ~~(e),~~ (e1), (f), (g), or (h) of this section, or is convicted of a second or subsequent violation of subsection (a), (a1), or (c) of this section, the sentencing court shall consider whether the person is a danger to the community and whether requiring the person to register as a sex offender pursuant to Article 27A of this Chapter would further the purposes of that Article as stated in G.S. 14-208.5. If the sentencing court rules that the person is a danger to the community and that the person shall register, then an order shall be entered requiring the person to register.

(m) The provisions of subsections (a), (a1), (c), ~~(e),~~ (e1), (g), (h), and (k) of this section do not apply ~~to:~~to either of the following:

(1) Law enforcement officers while discharging or attempting to discharge their official ~~duties; or~~duties.

(2) Personnel of the Division of Prisons of the Department of Adult Correction or of a local confinement facility for security purposes or during investigation of alleged misconduct by a person in the custody of the Division or the local confinement facility.

(n) This section does not affect the legal activities of those who are licensed pursuant to Chapter 74C, Private Protective Services, or Chapter 74D, Alarm Systems, of the General Statutes, who are legally engaged in the discharge of their official duties within their respective professions, and who are not engaging in activities for an improper purpose as described in this section."

SECTION 8.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

REVISE LAW PROHIBITING SEXUAL ACTIVITY BY A SUBSTITUTE PARENT OR CUSTODIAN TO INCLUDE RELIGIOUS ORGANIZATIONS OR INSTITUTIONS

SECTION 9.(a) G.S. 14-27.31 reads as rewritten:

"**§ 14-27.31. Sexual activity by a substitute parent or custodian.**

(a) If a defendant who has assumed the position of a parent in the home of a minor victim engages in vaginal intercourse or a sexual act with a victim who is a minor residing in the home, the defendant is guilty of a Class E felony.

(b) If a person having custody of a victim of any age or a person who is an agent or employee of any person, or institution, including a religious organization or institution, whether such institution is private, charitable, or governmental, having custody of a victim of any age engages in vaginal intercourse or a sexual act with such victim, the defendant is guilty of a Class E felony.

(c) Consent is not a defense to a charge under this section.

(d) As used in this section, "custody" means the care, control, or supervision of a minor by any adult who, by virtue of their position, role, employment, volunteer status, or relationship to a minor, exercises supervisory authority or control over a minor, or is responsible for the minor's welfare, safety, or supervision, regardless of whether such responsibility arises from express appointment, organizational duty, professional obligation, or circumstantial necessity."

SECTION 9.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

CLARIFY THAT ALL FELONY SCHOOL NOTIFICATIONS ARE LIMITED TO CLASS A THROUGH CLASS E FELONIES

SECTION 10. G.S. 7B-3101(a) reads as rewritten:

"(a) Notwithstanding G.S. 7B-3000, the juvenile court counselor shall deliver verbal and written notification of any of the following actions to the principal of the school that the juvenile attends:

(1) A petition is filed under G.S. 7B-1802 that alleges delinquency for an offense that would constitute a Class A, B1, B2, C, D, or E felony if committed by an adult. The principal of the school shall make an individualized decision related to the status of the student during the pendency of the matter and not have an automatic suspension policy.

(2) The court transfers jurisdiction over a juvenile to the superior court under G.S. 7B-2200.5 or ~~G.S. 7B-2200.~~G.S. 7B-2200 for an offense that would constitute a Class A, B1, B2, C, D, or E felony if committed by an adult.

(3) The court dismisses under G.S. 7B-2411 the petition that alleges delinquency for an offense that would be a Class A, B1, B2, C, D, or E felony if committed by an adult.

(4) The court issues a dispositional order under Article 25 of Chapter 7B of the General Statutes including, but not limited to, an order of probation that requires school attendance, concerning a juvenile alleged or found delinquent for an offense that would be a felony if committed by an adult.

(5) The court modifies or vacates any order or disposition under G.S. 7B-2600 concerning a juvenile alleged or found delinquent for an offense that would be a Class A, B1, B2, C, D, or E felony if committed by an adult.

Notification of the school principal in person or by telephone shall be made before the beginning of the next school day. Delivery shall be made as soon as practicable but at least within five days of the action. Delivery shall be made in person or by certified mail. Notification that a petition has been filed shall describe the nature of the offense. Notification of a dispositional order, a modified or vacated order, or a transfer to superior court shall describe the court's action and any applicable disposition requirements. As used in this subsection, the term "offense" does not include any offense under Chapter 20 of the General Statutes."

REVISE LAW GOVERNING THE RECORDING OF COURT PROCEEDINGS

SECTION 11.(a) G.S. 15A-1241 reads as rewritten:

"**§ 15A-1241. Record of proceedings.**

(a) The trial judge must require that the reporter make a true, complete, and accurate record of all statements from the bench and all other proceedings except:

(1) Selection of the jury in noncapital cases;

(2) Opening statements and final arguments of counsel to the jury; and

(3) Arguments of counsel on questions of law.

(b) Upon motion of any party or on the judge's own motion, proceedings excepted under ~~subdivisions (1) and (2) of~~ subsection (a) of this section must be recorded. The motion for recordation of jury arguments must be made before the commencement of any argument and if

one argument is recorded all must be. Upon suggestion of improper argument, when no recordation has been requested or ordered, the judge in his discretion may require the remainder to be recorded.

…."

SECTION 11.(b) This section is effective when it becomes law and applies to proceedings commenced on or after that date.

INCREASE THE PUNISHMENT FOR COMMITTING THE OFFENSE OF FAILURE TO YIELD THAT RESULTS IN SERIOUS BODILY INJURY

SECTION 12.(a) G.S. 20-160.1(a) reads as rewritten:

"(a) Unless the conduct is covered under some other law providing greater punishment, a person who commits the offense of failure to yield while approaching or entering an intersection, turning at a stop or yield sign, entering a roadway, upon the approach of an emergency vehicle, or at highway construction or maintenance shall be punished under this section. When there is serious bodily injury but no death resulting from the violation, the violator is guilty of a Class 2 misdemeanor, which shall ~~be fined~~ include a fine of five hundred dollars ($500.00) ~~and~~ and, upon conviction, revocation of the violator's drivers license or commercial drivers license ~~shall be suspended~~ for 90 days."

SECTION 12.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

CLARIFY THE PENALTY FOR FAILURE TO YIELD THE RIGHT-OF-WAY TO A BLIND OR PARTIALLY BLIND PEDESTRIAN

SECTION 13.(a) G.S. 20-175.2 reads as rewritten:

"**§ 20-175.2. Right-of-way at crossings, intersections and traffic-control signal points; white cane or guide dog to serve as signal for the blind.**

At any street, road or highway crossing or intersection, where the movement of traffic is not regulated by a traffic officer or by traffic-control signals, any blind or partially blind pedestrian shall be entitled to the right-of-way at such crossing or intersection, if such blind or partially blind pedestrian shall extend before him at arm's length a cane white in color or white tipped with red, or if such person is accompanied by a guide dog. Upon receiving such a signal, all vehicles at or approaching such intersection or crossing shall come to a full stop, leaving a clear lane through which such pedestrian may pass, and such vehicle shall remain stationary until such blind or partially blind pedestrian has completed the passage of such crossing or intersection. At any street, road or highway crossing or intersection, where the movement of traffic is regulated by traffic-control signals, blind or partially blind pedestrians shall be entitled to the right-of-way if such person having such cane or accompanied by a guide dog shall be partly across such crossing or intersection at the time the traffic-control signals change, and all vehicles shall stop and remain stationary until such pedestrian has completed passage across the intersection or crossing. Any person who fails to yield the right-of-way to a blind or partially blind pedestrian as required by this section is guilty of a Class 2 misdemeanor."

SECTION 13.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

INCREASE PUNISHMENT FOR FENTANYL OFFENSES

SECTION 14.(a) G.S. 90-95 reads as rewritten:

"**§ 90-95. Violations; penalties.**

(a) Except as authorized by this Article, it is unlawful for any person:

(1) To manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver, a controlled substance;

(2) To create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance;

(3) To possess a controlled substance.

(b) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a)(1) with respect to:

(1) A controlled substance classified in Schedule I or II shall be punished as a Class H felon, except as follows: (i) the sale of a controlled substance classified in Schedule I or II shall be punished as a Class G felony, and (ii) the manufacture of methamphetamine shall be punished as provided by subdivision (1a) of this ~~subsection.~~subsection, and (iii) any violation of G.S. 90-95(a)(1) involving fentanyl or carfentanil, or any salt, compound, derivative, or preparation thereof, or any mixture containing any of these substances shall be punished as provided in subdivision (1b) of this subsection.

(1a) The manufacture of methamphetamine shall be punished as a Class C felony unless the offense was one of the following: packaging or repackaging methamphetamine, or labeling or relabeling the methamphetamine container. The offense of packaging or repackaging methamphetamine, or labeling or relabeling the methamphetamine container shall be punished as a Class H felony.

(1b) Any violation of G.S. 90-95(a)(1) involving fentanyl or carfentanil, or any salt, compound, derivative, or preparation thereof, or any mixture containing any of these substances shall be punished as a Class F felony.

(2) A controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class I felon, except that the sale of a controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class H felon. The transfer of less than 5 grams of marijuana for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1).

(c) Any person who violates G.S. 90-95(a)(2) shall be punished as a Class I felon.

(d) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a)(3) with respect to:

(1) A controlled substance classified in Schedule I shall be punished as a Class I felon. However, if the controlled substance is MDPV and the quantity of the MDPV is 1 gram or less, the violation shall be punishable as a Class 1 misdemeanor.

(2) A controlled substance classified in Schedule II, III, or IV shall be guilty of a Class 1 misdemeanor. If the controlled substance exceeds four tablets, capsules, or other dosage units or equivalent quantity of hydromorphone or if the quantity of the controlled substance, or combination of the controlled substances, exceeds one hundred tablets, capsules or other dosage units, or equivalent quantity, the violation shall be punishable as a Class I felony. If the controlled substance is methamphetamine, amphetamine, phencyclidine, ~~cocaine, fentanyl, or carfentanil~~ or cocaine and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof, or coca leaves and any salt, isomer, salts of isomers, compound, derivative, or preparation of coca leaves, or any salt, isomer, salts of isomers, compound, derivative or preparation thereof which is chemically equivalent or identical with any of these substances (except decocanized coca leaves or any extraction of coca leaves which does not contain cocaine or ecgonine), the violation shall be punishable as a Class I felony. If the controlled substance is fentanyl or carfentanil, or any salt, compound, derivative, or preparation thereof, or any

mixture containing any of these substances, the violation is punishable as a Class H felony.

…

(h) Notwithstanding any other provision of law, the following provisions apply except as otherwise provided in this Article:

…

(4) ~~Any~~ Except as provided in subdivision (4c) of this subsection any person who sells, manufactures, delivers, transports, or possesses four grams or more of opium, opiate, or opioid, or any salt, compound, derivative, or preparation of opium, opiate, or opioid (except apomorphine, nalbuphine, analoxone and naltrexone and their respective salts), including heroin, or any mixture containing such substance, shall be guilty of a felony which felony shall be known as "trafficking in opium, opiate, opioid, or heroin" and if the quantity of such controlled substance or mixture involved:

a. Is four grams or more, but less than 14 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined as follows:

1. A fine of five hundred thousand dollars ($500,000) if the controlled substance is ~~heroin, fentanyl, or carfentanil,~~ heroin, or any salt, compound, derivative, or preparation thereof, or any mixture containing any of ~~these substances.~~that substance.
2. A fine of not less than fifty thousand dollars ($50,000) for any controlled substance described in this subdivision and not otherwise subject to sub-sub-subdivision 1. of this sub-subdivision.

b. Is 14 grams or more, but less than 28 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State's prison and shall be fined as follows:

1. A fine of seven hundred fifty thousand dollars ($750,000) if the controlled substance is ~~heroin, fentanyl, or carfentanil,~~ heroin, or any salt, compound, derivative, or preparation thereof, or any mixture containing any of ~~these substances.~~that substance.
2. A fine of not less than one hundred thousand dollars ($100,000) for any controlled substance described in this subdivision and not otherwise subject to sub-sub-subdivision 1. of this sub-subdivision.

c. Is 28 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 282 months in the State's prison and shall be fined as follows:

1. A fine of one million dollars ($1,000,000) if the controlled substance is ~~heroin, fentanyl, or carfentanil,~~ heroin, or any salt, compound, derivative, or preparation thereof, or any mixture containing any of ~~these substances.~~that substance.
2. A fine of not less than five hundred thousand dollars ($500,000) for any controlled substance described in this subdivision and not otherwise subject to sub-sub-subdivision 1. of this sub-subdivision.

…

(4c) Any person who sells, manufactures, delivers, transports, or possesses four grams or more of fentanyl or carfentanil, or any salt, compound, derivative, or preparation of such substance, or any mixture containing such substance, shall be guilty of a felony which felony shall be known as "trafficking in fentanyl or carfentanil" and if the quantity of such controlled substance or mixture involved:

a. Is four grams or more, but less than 14 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State's prison and shall be fined five hundred thousand dollars ($500,000).

b. Is 14 grams or more, but less than 28 grams, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined seven hundred fifty thousand dollars ($750,000).

c. Is 28 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 282 months in the State's prison and shall be fined one million dollars ($1,000,000).

…."

SECTION 14.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

SET LIMITS ON MOTIONS FOR APPROPRIATE RELIEF IN NONCAPITAL CASES

SECTION 15.(a) G.S. 15A-1415 reads as rewritten:

"**§ 15A-1415. Grounds for appropriate relief which may be asserted by defendant after verdict; limitation as to time.**

(a) ~~At any time after verdict, a noncapital defendant by motion may seek appropriate relief upon any of the grounds enumerated in this section.~~ In a capital case, a defendant may file a postconviction motion for appropriate relief ~~shall be filed~~ based on any of the grounds enumerated in this section within 120 days from the latest of any of the following:

(1) The court's judgment has been filed, but the defendant failed to perfect a timely ~~appeal;~~appeal.

(2) The mandate issued by a court of the appellate division on direct appeal pursuant to N.C.R. App. P. 32(b) and the time for filing a petition for writ of certiorari to the United States Supreme Court has expired without a petition being ~~filed;~~filed.

(3) The United States Supreme Court denied a timely petition for writ of certiorari of the decision on direct appeal by the Supreme Court of North ~~Carolina;~~Carolina.

(4) Following the denial of discretionary review by the Supreme Court of North Carolina, the United States Supreme Court denied a timely petition for writ of certiorari seeking review of the decision on direct appeal by the North Carolina Court of ~~Appeals;~~Appeals.

(5) The United States Supreme Court granted the defendant's or the State's timely petition for writ of certiorari of the decision on direct appeal by the Supreme Court of North Carolina or North Carolina Court of Appeals, but subsequently left the defendant's conviction and sentence ~~undisturbed; or~~undisturbed.

(6) The appointment of postconviction counsel for an indigent capital defendant.

(a1) In a noncapital case, a defendant may file a postconviction motion for appropriate relief based on any of the grounds enumerated in this section within seven years from the latest of any of the events listed in subdivisions (1) through (5) of subsection (a) of this section.

(b) The following are the only grounds which the defendant may assert by a motion for appropriate relief made more than 10 days after entry of judgment:

(1) The acts charged in the criminal pleading did not at the time they were committed constitute a violation of criminal law.

(2) The trial court lacked jurisdiction over the person of the defendant or over the subject matter.

(3) The conviction was obtained in violation of the Constitution of the United States or the Constitution of North Carolina.

(4) The defendant was convicted or sentenced under a statute that was in violation of the Constitution of the United States or the Constitution of North Carolina.

(5) The conduct for which the defendant was prosecuted was protected by the Constitution of the United States or the Constitution of North Carolina.

(6) Repealed by Session Laws 1995 (Regular Session, 1996), c. 719, s. 1, effective June 21, 1996.

~~(7) There has been a significant change in law, either substantive or procedural, applied in the proceedings leading to the defendant's conviction or sentence, and retroactive application of the changed legal standard is required.~~

(8) The sentence imposed was unauthorized at the time imposed, contained a type of sentence disposition or a term of imprisonment not authorized for the particular class of offense and prior record or conviction level was illegally imposed, or is otherwise invalid as a matter of law. However, a motion for appropriate relief on the grounds that the sentence imposed on the defendant is not supported by evidence introduced at the trial and sentencing hearing must be made before the sentencing judge.

~~(9) The defendant is in confinement and is entitled to release because his sentence has been fully served.~~

(10) The defendant was convicted of a nonviolent offense as defined in G.S. 15A-145.9; the defendant's participation in the offense was a result of having been a victim of human trafficking under G.S. 14-43.11, sexual servitude under G.S. 14-43.13, or the federal Trafficking Victims Protection Act (22 U.S.C. § 7102(13)); and the defendant seeks to have the conviction vacated.

(c) Notwithstanding the time limitations herein, a defendant at any time after verdict may by a motion for appropriate relief, raise ~~the ground that evidence~~ any of the following claims:

(1) Evidence is available which was unknown or unavailable to the defendant at the time of trial, which could not with due diligence have been discovered or made available at that time, including recanted testimony, and which has a direct and material bearing upon the defendant's eligibility for the death penalty or the defendant's guilt or innocence. A motion based upon such newly discovered evidence must be filed within a reasonable time of its discovery.

(2) In a noncapital case, the defendant can demonstrate pursuant to G.S. 15A-1419(c) that one of the following exists:

a. Good cause for excusing the grounds for denial listed in subsection (a) of G.S. 15A-1419 and actual prejudice resulting from the defendant's claim.

b. Failure to consider the defendant's claim will result in a fundamental miscarriage of justice.

(3) There has been a significant change in law, either substantive or procedural, applied in the proceedings leading to the defendant's conviction or sentence, and retroactive application of the changed legal standard is required.

(4) The defendant is in confinement and is entitled to release because his sentence has been fully served.

(c1) Notwithstanding the time limitations otherwise provided in this section, a defendant may file a motion for appropriate relief based on any of the grounds enumerated in this section at any time if the district attorney for the prosecutorial district where the case originated consents to the filing of the motion.

…."

SECTION 15.(b) G.S. 15A-1419(a)(4) reads as rewritten:

"(4) The defendant failed to file a timely motion for appropriate relief as required by ~~G.S. 15A-1415(a).~~subsection (a) or (a1) of G.S. 15A-1415."

SECTION 15.(c) This section becomes effective December 1, 2025, and applies to verdicts entered on or after that date.

REPEAL FILIAL RESPONSIBILITY CRIME

SECTION 16.(a) G.S. 14-326.1 is repealed.

SECTION 16.(b) This section becomes effective July 1, 2025, and applies to offenses committed on or after that date.

CLARIFYING CHANGES REGARDING MISDEMEANOR CRIME OF DOMESTIC VIOLENCE

SECTION 17.(a) G.S. 14-33 is amended by adding a new subsection to read:

"(e) An offense under this section shall not be considered a lesser included offense of misdemeanor crime of domestic violence under G.S. 14-32.5."

SECTION 17.(b) G.S. 14-33.2 reads as rewritten:

"**§ 14-33.2. Habitual misdemeanor assault.**

A person commits the offense of habitual misdemeanor assault if that person (i) violates any of the provisions of G.S. 14-33 and causes physical injury, G.S. 14-32.5, or G.S. 14-34, and (ii) has two or more prior convictions for ~~either~~ misdemeanor ~~or~~ assault, felony assault, or a violation of G.S. 14-32.5, with the earlier of the two prior convictions occurring no more than 15 years prior to the date of the current violation. A conviction under this section shall not be used as a prior conviction for any other habitual offense statute. A person convicted of violating this section is guilty of a Class H felony."

SECTION 17.(c) G.S. 15A-401(b) reads as rewritten:

"(b) Arrest by Officer Without a Warrant. –

(1) Offense in Presence of Officer. – An officer may arrest without a warrant any person who the officer has probable cause to believe has committed a criminal offense, or has violated a pretrial release order entered under G.S. 15A-534 or G.S. 15A-534.1(a)(2), in the officer's presence.

(2) Offense Out of Presence of Officer. – An officer may arrest without a warrant any person who the officer has probable cause to ~~believe:~~believe has committed or violated any of the following:

a. ~~Has committed a felony; or~~A felony.

b. ~~Has committed a misdemeanor, and:~~A misdemeanor, when the person meets at least one of the following criteria:

1. Will not be apprehended unless immediately ~~arrested, or~~arrested.

2. May cause physical injury to himself or others, or damage to property unless immediately ~~arrested; or~~arrested.

c. ~~Has committed a~~ A misdemeanor under G.S. 14-72.1, 14-134.3, 20-138.1, or ~~20-138.2; or~~20-138.2.

d. ~~Has committed a~~ A misdemeanor under G.S. 14-33(a), 14-33(c)(1), 14-33(c)(2), or 14-34 when the offense was committed by a person with whom the alleged victim has a personal relationship as defined in ~~G.S. 50B-1; or~~G.S. 50B-1.

e. ~~Has committed a~~ A misdemeanor under ~~G.S. 50B-4.1(a); or~~G.S. 50B-4.1(a).

f. ~~Has violated a~~ A pretrial release order entered under G.S. 15A-534 or G.S. 15A-534.1(a)(2).

g. A misdemeanor under G.S. 14-32.5.

…."

SECTION 17.(d) G.S. 15A-534.1(a) reads as rewritten:

"(a) In all cases in which the defendant is charged with assault on, stalking, communicating a threat to, or committing a felony provided in Articles 7B, 8, 10, or 15 of Chapter 14 of the General Statutes upon a spouse or former spouse, a person with whom the defendant lives or has lived as if married, or a person with whom the defendant is or has been in a dating relationship as defined in G.S. 50B-1(b)(6), with domestic criminal trespass, with violation of G.S. 14-32.5, or with violation of an order entered pursuant to Chapter 50B, Domestic Violence, of the General Statutes, the judicial official who determines the conditions of pretrial release shall be a judge. The judge shall direct a law enforcement officer or a district attorney to provide a criminal history report for the defendant and shall consider the criminal history when setting conditions of release. After setting conditions of release, the judge shall return the report to the providing agency or department. No judge shall unreasonably delay the determination of conditions of pretrial release for the purpose of reviewing the defendant's criminal history report. The following provisions shall apply in addition to the provisions of G.S. 15A-534:

(1) Upon a determination by the judge that the immediate release of the defendant will pose a danger of injury to the alleged victim or to any other person or is likely to result in intimidation of the alleged victim and upon a determination that the execution of an appearance bond as required by G.S. 15A-534 will not reasonably assure that such injury or intimidation will not occur, a judge may retain the defendant in custody for a reasonable period of time while determining the conditions of pretrial release.

(2) A judge may impose the following conditions on pretrial release:

a. That the defendant stay away from the home, school, business or place of employment of the alleged victim.

b. That the defendant refrain from assaulting, beating, molesting, or wounding the alleged victim.

c. That the defendant refrain from removing, damaging or injuring specifically identified property.

d. That the defendant may visit his or her child or children at times and places provided by the terms of any existing order entered by a judge.

e. That the defendant abstain from alcohol consumption, as verified by the use of a continuous alcohol monitoring system, of a type approved by the Division of Community Supervision and Reentry of the Department of Adult Correction, and that any violation of this condition be reported by the monitoring provider to the district attorney.

The conditions set forth above may be imposed in addition to requiring that the defendant execute a secured appearance bond.

(3) Should the defendant be mentally ill and dangerous to himself or others or a substance abuser and dangerous to himself or others, the provisions of Article 5 of Chapter 122C of the General Statutes shall apply."

SECTION 17.(e) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

CREATE FELONY CRIME OF HABITUAL DOMESTIC VIOLENCE

SECTION 18.(a) Article 8 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"**§ 14-32.6. Habitual domestic violence.**

(a) A person commits the offense of habitual domestic violence if that person commits an offense under G.S. 14-32.5, or commits an assault where the person is related to the victim by one or more of the relationship descriptions set forth in G.S. 14-32.5, and has two or more prior convictions that include either of the following combination of offenses, with the earlier of the two prior convictions occurring no more than 15 years prior to the date of the current violation:

(1) Two or more convictions of an offense under G.S. 14-32.5 or an offense committed in another jurisdiction substantially similar to an offense under G.S. 14-32.5.

(2) One prior conviction of an offense described in subdivision (1) of this subsection and at least one prior conviction of an offense in this State or another jurisdiction involving an assault where the person is related to the victim by one or more of the relationship descriptions set forth in G.S. 14-32.5.

(b) A conviction under this section shall not be used as a prior conviction for any other habitual offense statute. A person convicted of violating this section is guilty of a Class H felony for the first offense. Subsequent convictions for violating this section shall each be punished at a level which is one offense class higher than the offense class of the most recent prior conviction under this section, not to exceed a Class C felony."

SECTION 18.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

REMOVE CONCURRENT SENTENCING DEFAULT

SECTION 19.(a) G.S. 15A-1354(a) reads as rewritten:

"(a) Authority of Court. – When multiple sentences of imprisonment are imposed on a person at the same time or when a term of imprisonment is imposed on a person who is already subject to an undischarged term of imprisonment, including a term of imprisonment in another jurisdiction, the sentences may run either concurrently or consecutively, as determined by the court. ~~If not specified or not required by statute to run consecutively, sentences shall run concurrently.~~The court shall make a finding on the record stating the reasoning for the determination of the court."

SECTION 19.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

RETRIEVAL OF FIREARMS, AMMUNITION, AND PERMITS SURRENDERED PURSUANT TO AN EX PARTE, EMERGENCY, OR PERMANENT DOMESTIC VIOLENCE PROTECTIVE ORDER

SECTION 20.(a) G.S. 50B-3.1 reads as rewritten:

"**§ 50B-3.1. Surrender and disposal of firearms; violations; exemptions.**

(a) Required Surrender of Firearms. – Upon issuance of an emergency or ex parte order pursuant to this Chapter, the court shall order the defendant to surrender to the sheriff all firearms, machine guns, ammunition, permits to purchase firearms, and permits to carry concealed firearms

that are in the care, custody, possession, ownership, or control of the defendant if the court finds any of the following factors:

(1) The use or threatened use of a deadly weapon by the defendant or a pattern of prior conduct involving the use or threatened use of violence with a firearm against persons.

(2) Threats to seriously injure or kill the aggrieved party or minor child by the defendant.

(3) Threats to commit suicide by the defendant.

(4) Serious injuries inflicted upon the aggrieved party or minor child by the defendant.

(b) Ex Parte or Emergency Hearing. – The court shall inquire of the plaintiff, at the ex parte or emergency hearing, the presence of, ownership of, or otherwise access to firearms by the defendant, as well as ammunition, permits to purchase firearms, and permits to carry concealed firearms, and include, whenever possible, identifying information regarding the description, number, and location of firearms, ammunition, and permits in the order.

(c) Ten-Day Hearing. – The court, at the 10-day hearing, shall inquire of the defendant the presence of, ownership of, or otherwise access to firearms by the defendant, as well as ammunition, permits to purchase firearms, and permits to carry concealed firearms, and include, whenever possible, identifying information regarding the description, number, and location of firearms, ammunition, and permits in the order.

(d) Surrender. – Upon service of the order, the defendant shall immediately surrender to the sheriff possession of all firearms, machine guns, ammunition, permits to purchase firearms, and permits to carry concealed firearms that are in the care, custody, possession, ownership, or control of the defendant. In the event that weapons cannot be surrendered at the time the order is served, the defendant shall surrender the firearms, ammunitions, and permits to the sheriff within 24 hours of service at a time and place specified by the sheriff. The sheriff shall store the firearms or contract with a licensed firearms dealer to provide storage.

(1) If the court orders the defendant to surrender firearms, ammunition, and permits, the court shall inform the plaintiff and the defendant of the terms of the protective order and include these terms on the face of the order, including that the defendant is prohibited from possessing, purchasing, or receiving or attempting to possess, purchase, or receive a firearm for so long as the protective order or any successive protective order is in effect. The terms of the order shall include instructions as to how the defendant may request retrieval of any firearms, ammunition, and permits surrendered to the sheriff when the protective order is no longer in effect. The terms shall also include notice of the penalty for violation of G.S. 14-269.8.

(2) The sheriff may charge the defendant a reasonable fee for the storage of any firearms and ammunition taken pursuant to a protective order. The fees are payable to the sheriff. The sheriff shall transmit the proceeds of these fees to the county finance officer. The fees shall be used by the sheriff to pay the costs of administering this section and for other law enforcement purposes. The county shall expend the restricted funds for these purposes only. The sheriff shall not release firearms, ammunition, or permits without a court order granting the ~~release.~~ release, unless release without a court order is authorized pursuant to subsection (e) of this section. The defendant must remit all fees owed prior to the authorized return of any firearms, ammunition, or permits. The sheriff shall not incur any civil or criminal liability for alleged damage or deterioration due to storage or transportation of any firearms or ammunition held pursuant to this section.

(e) Retrieval. – ~~If the court does not enter a protective order when the ex parte or emergency order expires, the defendant may retrieve any weapons surrendered to the sheriff unless~~ Unless the court finds that the defendant is precluded from owning or possessing a firearm pursuant to State or federal law or final disposition of any pending criminal charges committed against the person that is the subject of the current protective ~~order.~~order, the defendant may retrieve any weapons surrendered to the sheriff without additional order of the court upon the occurrence of one of the following conditions:

(1) The court does not enter a protective order when the ex parte or emergency order expires.

(2) The protective order is denied by the court following a hearing.

Prior to release of any firearms to the defendant pursuant to this subsection, the sheriff shall verify through a criminal history check conducted through the National Instant Criminal Background Check System (NICS) that the defendant is not prohibited from possessing or receiving a firearm pursuant to 18 U.S.C. § 922 or any State law and the defendant does not have any pending criminal charges committed against the person that is the subject of the current protective order or pending charges that, if convicted, would prohibit the defendant from possessing a firearm.

(f) Motion for ~~Return.~~ Return by Defendant. – The defendant may request the return of any firearms, ammunition, or permits surrendered by filing a motion with the court at the expiration of the current order or final disposition of any pending criminal charges committed against the person that is the subject of the current protective order and not later than 90 days after the expiration of the current order or final disposition of any pending criminal charges committed against the person that is the subject of the current protective order. Upon receipt of the motion, the court shall schedule a hearing and provide written notice to the plaintiff who shall have the right to appear and be heard and to the sheriff who has control of the firearms, ammunition, or permits. The court shall determine whether the defendant is subject to any State or federal law or court order that precludes the defendant from owning or possessing a firearm. The inquiry shall include:

(1) Whether the protective order has been renewed.

(2) Whether the defendant is subject to any other protective orders.

(3) Whether the defendant is disqualified from owning or possessing a firearm pursuant to 18 U.S.C. § 922 or any State law.

(4) Whether the defendant has any pending criminal charges, in either State or federal court, committed against the person that is the subject of the current protective order.

The court shall deny the return of firearms, ammunition, or permits if the court finds that the defendant is precluded from owning or possessing a firearm pursuant to State or federal law or if the defendant has any pending criminal charges, in either State or federal court, committed against the person that is the subject of the current protective order until the final disposition of those charges.

(g) Motion for Return by Third-Party Owner. – A third-party owner of firearms, ammunition, or permits who is otherwise eligible to possess such items may file a motion requesting the return to said third party of any such items in the possession of the sheriff seized as a result of the entry of a domestic violence protective order. The motion ~~must~~ may be filed ~~not later than 30 days after the~~ at any time following the seizure of the items by the ~~sheriff.~~ sheriff prior to their disposal pursuant to subsection (h) of this section. Upon receipt of the third party's motion, the court shall schedule a hearing and provide written notice to all parties and the sheriff. The court shall order return of the items to the third party unless the court determines that the third party is disqualified from owning or possessing said items pursuant to State or federal law. If the court denies the return of said items to the third party, the items shall be disposed of by the sheriff as provided in subsection (h) of this section.

(h) Disposal of Firearms. – ~~If the~~ After notice to the defendant and all parties known or believed to have an ownership or possessory interest in the firearm, including any third-party owner, the sheriff who has control of the firearms, ammunition, or permits may apply to the court for an order of disposition of the firearms, ammunition, or permits under any of the following circumstances:

(1) Both of the following criteria are met:

a. The defendant ~~does not file~~ or third-party owner has not filed a motion requesting the return of any firearms, ammunition, or permits surrendered within ~~the time period prescribed by this section, if the court determines~~ 90 days after the expiration of the current order or final disposition of any pending criminal charges committed against the person that is the subject of the current protective order.

b. The defendant has not retrieved the firearms pursuant to subsection (e) of this section within 90 days after the expiration of the current order or final disposition of any pending criminal charges committed against the person that is the subject of the current protective order.

(2) The court has determined that the defendant or third-party owner is precluded from regaining possession of any firearms, ammunition, or permits ~~surrendered, or if the~~ surrendered.

(3) The defendant or third-party owner fails to remit all fees owed for the storage of the firearms or ammunition within 30 days of either (i) the entry of the order granting the return of the firearms, ammunition, or permits, ~~the sheriff who has control of the firearms, ammunition, or permits shall give notice to the defendant, and the sheriff shall apply to the court for an order of disposition of the firearms, ammunition, or permits.~~ or (ii) a request to retrieve the firearms, ammunition, or permits pursuant to subsection (e) of this section.

The judge, after a hearing, may order the disposition of the firearms, ammunition, or permits in one or more of the ways authorized by law, including subdivision (4), (4b), (5), or (6) of G.S. 14-269.1. If a sale by the sheriff does occur, any proceeds from the sale after deducting any costs associated with the sale, and in accordance with all applicable State and federal law, shall be provided to the ~~defendant,~~ defendant or any known third-party owner if requested by the defendant or any known third-party owner by motion made before the hearing or at the hearing and if ordered by the judge.

(i) It is unlawful for any person subject to a protective order prohibiting the possession or purchase of firearms to:

(1) Fail to surrender all firearms, ammunition, permits to purchase firearms, and permits to carry concealed firearms to the sheriff as ordered by the court;

(2) Fail to disclose all information pertaining to the possession of firearms, ammunition, and permits to purchase and permits to carry concealed firearms as requested by the court; or

(3) Provide false information to the court pertaining to any of these items.

(j) Violations. – In accordance with G.S. 14-269.8, it is unlawful for any person to possess, purchase, or receive or attempt to possess, purchase, or receive a firearm, as defined in G.S. 14-409.39(2), machine gun, ammunition, or permits to purchase or carry concealed firearms if ordered by the court for so long as that protective order or any successive protective order entered against that person pursuant to this Chapter is in effect. Any defendant violating the provisions of this section shall be guilty of a Class H felony.

(k) Official Use Exemption. – This section shall not prohibit law enforcement officers and members of any branch of the Armed Forces of the United States, not otherwise prohibited under federal law, from possessing or using firearms for official use only.

(*l*) Nothing in this section is intended to limit the discretion of the court in granting additional relief as provided in other sections of this Chapter."

SECTION 20.(b) This section becomes effective December 1, 2025, and applies (i) to firearms, ammunition, and permits surrendered on or after that date and (ii) beginning February 1, 2026, to firearms, ammunition, and permits surrendered before December 1, 2025.

PROTECT MINOR VICTIMS OF AND WITNESSES TO CRIME

SECTION 21. G.S. 132-1.4(c) reads as rewritten:

"(c) Notwithstanding the provisions of this section, and unless otherwise prohibited by law, the following information shall be public records within the meaning of ~~G.S. 132-1.~~G.S. 132-1:

…

(4) The contents of "911" and other emergency telephone calls received by or on behalf of public law enforcement agencies, except for ~~such contents~~ any of the following:

a. Contents of a "911" or other emergency telephone call that ~~reveal~~ reveals the natural voice, name, address, telephone number, or other information that may identify the caller, victim, or witness. In order to protect the identity of the complaining witness, the contents of "911" and other emergency telephone calls may be released pursuant to this section in the form of a written transcript or altered voice reproduction; provided that the original shall be provided under process to be used as evidence in any relevant civil or criminal proceeding.

b. Contents of any "911" or other emergency telephone call where the caller is less than 18 years of age.

…."

EXTEND SUNSET DATE FOR USE OF SECURITY GUARDS AT STATE PRISONS

SECTION 22. Section 4.15(c) of S.L. 2020-3, as amended by Section 2 of S.L. 2020-15, Section 19D.2 of S.L. 2021-180, Section 12 of S.L. 2022-58, Section 19D.1 of S.L. 2022-74, and Section 9(a) of S.L. 2023-121, reads as rewritten:

"**SECTION 4.15.(c)** This section is effective when it becomes law and expires on June 30, ~~2025.~~2027."

ALLOW LAW ENFORCEMENT AGENCIES WITH ONLINE REPORTING SYSTEMS TO ACCEPT REPORTS OF LOST OR STOLEN FIREARMS FROM INDIVIDUALS

SECTION 23.(a) Article 53B of Chapter 14 of the General Statutes is amended by adding a new section to read:

"**§ 14-409.44. Online reporting to local law enforcement agency of lost or stolen firearm.**

(a) Authorization. – Any local law enforcement agency that has an online crime reporting system that allows individuals to file online reports of crimes may allow individuals to file online reports of lost or stolen firearms.

(b) Reports Are Not Public. – Online reports of lost or stolen firearms submitted to any local law enforcement agency are records of criminal investigations or records of criminal intelligence information as defined in G.S. 132-1.4 and are not public records as defined by G.S. 132-1.

(c) False Reports. – A person who willfully makes or causes to be made a false, deliberately misleading, or unfounded report of a lost or stolen firearm is guilty of a violation under G.S. 14-225 and shall be punished in accordance with that section.

(d) Construction. – Nothing in this section shall be construed as requiring a local law enforcement agency to acquire and implement an online crime reporting system that allows individuals to file online reports of crimes."

SECTION 23.(b) This section becomes effective October 1, 2025.

MODIFY LAW GOVERNING ELECTRONIC SIGNATURES OF COURT DOCUMENTS

SECTION 24.(a) Notwithstanding any provision of law or rule to the contrary, the chief district court judge and the senior resident superior court judge of their respective districts may establish rules to allow for the court's manual signature of (i) orders of the court executed outside of court and (ii) fee application orders from private assigned counsel submitted on the appropriate form (AOC-CR-225). This section does not apply to criminal judgments. Where manual signatures are permitted, the party obtaining the court's manual signature shall bear sole responsibility for filing the executed document with the clerk through eFile and Serve. For purposes of this section, the term "manual signature" means the act of physically signing a paper document with a pen, pencil, or other writing utensil.

SECTION 24.(b) This section is effective when it becomes law and expires two years after that date.

IOLTA EXPENDITURES

SECTION 25. All funds received by the North Carolina State Bar, and administered by the North Carolina Interest on Lawyers' Trust Accounts (NC IOLTA) Board of Trustees, from banks by reason of interest earned on general trust accounts established by lawyers pursuant to Rule 1.15-2(b) of the Rules of Professional Conduct, or interest earned on trust or escrow accounts maintained by settlement agents pursuant to G.S. 45A-9, including any interest dividends, or other proceeds earned on or with respect to these funds, shall not be encumbered or expended for the purpose of awarding grants or for any purpose other than administrative costs during the period beginning July 1, 2025, and ending June 30, 2026.

SEVERABILITY, SAVINGS CLAUSE, AND EFFECTIVE DATE

SECTION 26.(a) If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application and, to this end, the provisions of this act are severable.

SECTION 26.(b) Prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

SECTION 26.(c) Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of June, 2025.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Donna McDowell White
Presiding Officer of the House of Representatives

s/ Josh Stein
Governor

Approved 9:24 a.m. this 9th day of July, 2025