

GENERAL ASSEMBLY OF NORTH CAROLINA
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30573-NQa-25

Short Title: LEO Facial Coverings and Identifications. (Public)

Sponsors: Representative Cervania.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT LAW ENFORCEMENT OFFICERS FROM WEARING FACIAL
3 COVERINGS AND TO REQUIRE LAW ENFORCEMENT OFFICERS TO BE CLEARLY
4 IDENTIFIABLE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Chapter 17F of the General Statutes is amended by adding a new
7 section to read:

8 **"§ 17F-22. Regulation of facial coverings worn by law enforcement officers.**

9 (a) Definitions. – As used in this section, the following definitions apply:

10 (1) Facial covering. – Any opaque mask, garment, or other item that conceals or
11 obscures the facial identity of the wearer, including a balaclava, tactical mask,
12 gator, ski mask, and any similar type of facial covering or face-shielding item.
13 This definition does not include any of the following:

14 a. A translucent face shield or clear mask that does not conceal the
15 wearer's facial identity.

16 b. An N95 medical mask or surgical mask to protect against transmission
17 of disease or infection or any other mask or device, including
18 air-purifying respirators, full or half masks, or self-contained breathing
19 apparatuses necessary to protect against exposure to any toxin, gas,
20 smoke, or any other hazardous environmental condition.

21 c. A helmet used to protect the wearer's head during transportation.

22 d. A head or face covering worn for religious purposes.

23 (2) Law enforcement officer. – An employee or agent of a State, local, or federal
24 government agency responsible for enforcement of State or federal laws.

25 (3) Undercover operation. – A planned act authorized by supervising agents,
26 agencies, or a court warrant that uses an undercover operative to intentionally
27 interact with a suspected criminal violator or others or to obtain evidence of
28 criminal activity.

29 (4) Undercover operative. – A law enforcement officer using an assumed name
30 or cover identity to interact with non-law enforcement individuals or entities
31 to collect evidence of criminal activity.

32 (b) Prohibition. – Law enforcement officers shall not wear facial coverings in the
33 performance of their duties, subject to the exceptions in subsection (c) of this section.

34 (c) Exceptions. – The prohibition on wearing facial coverings does not apply to any of
35 the following:

36 (1) Active undercover operations.



- 1 (2) Tactical operations where protective gear is required for physical safety.
2 (3) Protection of identity during prosecution.
3 (4) Situations in which applicable law governs occupational health and safety.
4 (5) Situations in which applicable law governs reasonable accommodations.

5 (d) Policy. – Any law enforcement agency operating in this State shall maintain, publicly
6 post, and enforce a written policy regarding the wearing of facial coverings as described in this
7 section. The policy shall include all of the following:

- 8 (1) A purpose statement affirming the agency's commitment to all of the
9 following:
10 a. Transparency, accountability, and public trust.
11 b. Restricting the use of facial coverings to specific, clearly defined, and
12 limited circumstances.
13 c. The principle that generalized and undifferentiated fear and
14 apprehension about officer safety is not sufficient to justify the
15 wearing of facial coverings.
16 (2) A prohibition on wearing facial coverings for all law enforcement officers in
17 the performance of their duties.
18 (3) The list of exceptions described in subsection (c) of this section.

19 (e) Enforcement. – The Attorney General shall bring suit against any law enforcement
20 agency operating in this State that willfully or knowingly violates the requirements of this
21 section.

22 (f) Waiver of Privilege and Immunity. – Notwithstanding any other law, no law
23 enforcement officer who is found to have committed an assault, battery, false imprisonment, false
24 arrest, or malicious prosecution while wearing a facial covering in a willful or knowing violation
25 of this section may assert any privilege or immunity for such tortious conduct against a claim of
26 civil liability, except that an officer in compliance with the requirements of G.S. 17F-23(b) at the
27 time of the tortious conduct is not liable."

28 **SECTION 2.** Chapter 17F of the General Statutes is amended by adding a new
29 section to read:

30 **"§ 17F-23. Identification of law enforcement officers.**

31 (a) Definition. – As used in this section, "law enforcement officer" has the same meaning
32 as in G.S. 17F-22.

33 (b) Agency Identification on Uniforms. – All law enforcement officers operating in this
34 State shall wear clear and accurate identification of their agency on their uniforms. Such
35 identification may not be misrepresented.

36 (c) Identification upon Request. – All law enforcement officers operating in this State
37 shall identify themselves by name or badge number clearly and accurately upon any request."

38 **SECTION 3.** If any provision of this act or its application is held invalid, the
39 invalidity does not affect other provisions or applications of this act that can be given effect
40 without the invalid provisions or application and, to this end, the provisions of this act are
41 severable.

42 **SECTION 4.** There is appropriated from the General Fund to the Department of
43 Justice the sum of five hundred thousand dollars (\$500,000) in nonrecurring funds for the
44 2026-2027 fiscal year to be used to establish a training program and training materials regarding
45 the facial covering requirements of this act.

46 **SECTION 5.** This act is effective when it becomes law.