

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H

1

HOUSE BILL 230

Short Title: Create Crime for Habitual Domestic Violence. (Public)

Sponsors: Representative Torbett.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

February 27, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A FELONY CRIME OF HABITUAL DOMESTIC VIOLENCE AND
3 TO ALLOW A WARRANTLESS ARREST WHEN AN OFFICER HAS PROBABLE
4 CAUSE TO BELIEVE A MISDEMEANOR CRIME OF DOMESTIC VIOLENCE HAS
5 OCCURRED.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 8 of Chapter 14 of the General Statutes is amended by adding
8 a new section to read:

9 "**§ 14-32.6. Habitual domestic violence.**

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

- 15 (1) Two or more convictions of an offense under G.S. 14-32.5 or an offense
16 committed in another jurisdiction substantially similar to an offense under
17 G.S. 14-32.5.
18 (2) One prior conviction of an offense described in subdivision (1) of this
19 subsection and at least one prior conviction of an offense in this State or
20 another jurisdiction involving an assault where the person is related to the
21 victim by one or more of the relationship descriptions set forth in
22 G.S. 14-32.5.

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

28 **SECTION 2.** G.S. 15A-401(b) reads as rewritten:

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

30 ...

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

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



