

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 164

Short Title: Theft of Temporary Housing During Emergency. (Public)

Sponsors: Senators Alexander, Moffitt, and Settle (Primary Sponsors).

Referred to: Rules and Operations of the Senate

February 26, 2025

A BILL TO BE ENTITLED

AN ACT TO SPECIFY THE PUNISHMENT FOR ENTERING THE PREMISES OF ANOTHER PERSON WITHOUT LEGAL JUSTIFICATION IN A COUNTY LOCATED IN AN EMERGENCY AREA DURING A STATE OF EMERGENCY AND TAKING OR DAMAGING THE PERSON'S TEMPORARY HOUSING.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-288.6 reads as rewritten:

"§ 14-288.6. **Looting; trespass during emergency.**

(a) Any person who enters upon the premises of another without legal justification when the usual security of property is not effective due to the occurrence or aftermath of riot, insurrection, invasion, storm, fire, explosion, flood, collapse, or other disaster or calamity is guilty of a Class 1 misdemeanor of trespass during an emergency.

(b) Any person who commits the crime of trespass during emergency and, without legal justification, obtains or exerts control over, damages, ransacks, or destroys the property of another is guilty of the felony of looting and shall be punished as a Class H felon.

(b1) Unless the conduct is covered under some other provision of law providing greater punishment, any person who (i) enters the premises of another without legal justification, in a county located in an emergency area during a state of emergency, and (ii) without legal justification obtains or exerts control over, damages, ransacks, or destroys the temporary housing of another is guilty of a Class F felony. The following definitions apply to this subsection:

(1) Emergency area. – As defined in G.S. 166A-19.3.

(2) State of emergency. – As defined in G.S. 166A-19.3.

(3) Temporary housing. – Any of the following:

a. A tent, trailer, mobile home, or any other structure being used for human shelter which is designed to be transportable and is not attached to the ground, to another structure, or to any utility system on the same premises.

b. A vehicular unit being used as temporary living quarters.

c. Any equipment used to transport or deliver a structure or vehicle described in sub-subdivision a. or b. of this subdivision.

d. Any item attached, affixed, or connected to, or intended to be attached, connected, or affixed to, a structure or vehicle described in sub-subdivision a. or b. of this subdivision to provide air conditioning, heating, or a source of power for the structure or vehicle.



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- 1 (c) Any person whose person or property is injured by reason of a violation of this section
2 may sue for and recover from the violator three times the actual damages sustained, as well as
3 court costs and attorneys' fees."
4 **SECTION 2.** This act becomes effective December 1, 2025, and applies to offenses
5 committed on or after that date.