

NCACP LEGISLATIVE REPORT

November 12, 2025

The legislature is adjourned and will not reconvene this calendar year except on November 17 at the call of the Governor to address Medicaid funding only. It has not agreed on a 2025-6 biennial state budget, and it may reconvene in the Spring to address the budget. Other matters may or may not be considered, including gubernatorial vetoes of bills, but most of the bills affecting law enforcement have already been dealt with. If a state budget is adopted, it could contain substantive law provisions. Efforts continue to renew funding for the Performance and Wellness Grant Program administered by NCACP.

H 307. “Iryna’s Law”. S.L. 2025-93. Pre-trial release; mental health evaluations; capital punishment. Now law. Eliminates written promises to appear for pre-trial release; requires secured bond or house arrest with electronic monitoring for specified violent, sexual, and drug offenses unless judicial official makes written findings justifying other release conditions; requires evaluation for involuntary commitment if the offense charged is for defined violent offenses and defendant has been IVC’d within last 3 years or if judicial official has reasonable grounds to believe defendant is a danger to themselves or others; requires arresting officer to report to judicial official any behavior observed prior to, during, or after arrest that may be relevant to whether defendant may be a danger to himself or others, and transport to emergency room for initial examination if ordered by judicial official; provides for suspension or removal of magistrate for failing to follow requirements; imposes deadlines for resolution of capital punishment post-conviction appeals; addresses methods of execution to facilitate implementation; addresses delays in cases of incapacity to proceed; eliminates Governor’s Task Force for Racial Equity in Criminal Justice. Some of the law is effective Dec. 1, 2025 (including duty of arresting officer to report observed behavior relevant to whether defendant may be a danger to himself or others), and some of the bill is effective Dec. 1, 2026 (including duty of arresting officer to transport defendant for initial IVC examination).

H 42. “Back the Blue”. Passed Senate, in House Rules Committee. Sworn state and local law enforcement officers employed as of June 30 receive one-time bonuses of \$1500 in November 2025 and 2026 (total \$3000); line-of-duty public safety employee death benefit raised to \$150,000 (now \$100,000); new experienced based salary schedules with increases for law enforcement officers of SHP, SBI, ALE, Corrections, Probation and Parole; 6.5% salary increase for sworn officers in state agencies of Agriculture, Forestry, DEQ, Marine Fisheries; Natural and Cultural Resources, Parks, Wildlife Resources Commission.

HB 50, S.L. 2025-8. Defer receipt of special separation allowance. Now law, effective for state and local law enforcement officers retiring on or after July 1, 2025. Allows an officer who has at

least 30 years creditable service in the applicable retirement system or is at least 55 years old and has at least 5 years of creditable service; and is less than 62 years old; and has completed at least 5 years of continuous service immediately preceding retirement; and at least 50% of the officer's creditable service is as a law enforcement officer to defer receipt of special separation allowance for a period equal to 62 years minus the age at which the officer reached 30 years of creditable service.

S 311. S.L. 2025-71. "Law and Order Act". Now law. Amends various criminal laws including increase punishment for assault against utility or communications worker; include mass picketing in workplace violence prevention laws; strengthen various retail theft laws; create crime of possession of certain explosive material; increase penalties for reckless driving, street racing, and hit and run offenses resulting in serious injury or death; create crime of possession of firearm or weapon of mass destruction by felon during commission of a felony; increase penalty for mail theft; revise first and second degree burglary and enhance penalties for certain burglaries and B&E; and others. Effective Dec. 1, 2025.

S 429. S.L. 2025-70. "Public Safety Act". Now law. Amends various criminal laws including create felony of exposing child to controlled substances; revises laws concerning release of medical examiner records and makes them records of criminal investigation and not available to the public upon notice from the investigating law enforcement agency or the DA that the death is under investigation. Revises laws related to peeping, 911 calls from minors as public records, and other subjects. Also provides that a law enforcement agency that has an online crime reporting system may (optional) allow online reports of lost or stolen firearms. Such reports are not a public record and filing a false report is a misdemeanor. Effective Dec. 1, 2025.

S 710, S.L. 2025-51. Review of applicant's personnel record. Now law. Requires a law enforcement agency considering an applicant for employment as a sworn officer to request access to and review the complete personnel file of the applicant from any law enforcement agency employing the applicant at any time in the previous 5 years. With a release from the applicant, any law enforcement agency that previously employed the applicant shall grant access to and may, if requested, provide a copy of the applicant's complete personnel file to the requesting agency. Confidential information under the Personnel Privacy Act shall remain confidential by the requesting agency, and any agency providing or receiving access or copies of personnel files shall not be held criminally or civilly liable. Effective now.

H 193. S.L. 2025-81. Firearms at private schools. Now law, effective December 1, 2025. Allows an employee or volunteer at a private school to carry a stun gun or firearm on that school's property if: the person has written permission from the governing board or administrative head of the school; and the person has a valid N.C. or out-of-state concealed carry permit; and the person annually completes an 8 hour firearm training; and the school distributes annually its standard operating procedures for firearms on its property to the parents of the school's students. Also, allows a person who possesses an N.C. or out-of-state concealed carry permit, or is exempt from having to obtain one, to carry a handgun on private school property that also

houses a place of religious worship, even during school operating hours, if the person is attending worship services or other religious functions.

S 50. Concealed carry without permit. Vetoed by Governor. Veto overridden by Senate, House has not held an override vote. Provides that anyone at least 18 years old can carry a concealed handgun. It is unlawful to carry a concealed handgun if the person is ineligible to possess a firearm under state or federal law; or is under indictment for a felony; or has been judged guilty of a felony (except some business related felonies); or is an unlawful user of or addicted to marijuana, alcohol, and other controlled substances; or is a fugitive from justice; or ever has been adjudicated as mentally ill or lacking mental capacity; or has been dishonorably discharged from service; or several other categories. The person must carry valid identification and disclose that they are carrying a concealed handgun to any law enforcement officer who approaches or addresses them. Unlawful to carry a concealed handgun in any law enforcement or correctional facility, or private premises where notice that carrying a concealed weapon is prohibited has been posted or by statement by the person in legal possession or control of the premises, or other areas prohibited by federal or state law. Penalty for violation is fine of up to \$500.00. Also increases line of duty death benefit; establishes scholarship for children of disabled or slain law enforcement officers; increases punishment for assault with a firearm on emergency and law enforcement personnel; creates offenses of discharge of firearm or possession of a firearm by a felon in the commission or attempted commission of a felony.

H 805. S.L. 2025-84. Crime of online sexual exploitation of women and minors; define two sexes. Now law, effective December 1, 2025 for the section that defines and prohibits various online methods of sexual exploitation of women and minors. The bill also makes it state law that male and female are the exclusive human sexes; prohibits state funds for gender transition treatments; extends statute of limitation for malpractice in gender transition treatment of minors; provides parents' access to school library books, and right to withdraw student from teaching content or activities based on religious objection.

S 391. S.L. 2025-47. Tinted windows; speed radar guns in school zones; extend Class C drivers licenses. Now law. Requires driver with tinted windows to roll down window on the side of approach by law enforcement officer; allows cities and counties to adopt ordinances for non-criminal enforcement of speed limits in school zones by electronic speed measuring devices as prescribed in the law; extends current Class C drivers licenses for 2 years beyond current expiration date. Effective December 1, 2025.

S 55. S.L. 2025-88. Squatters. Now law, effective December 1, 2025. Creates abbreviated eviction procedure approved by NCACP for persons unlawfully occupying a residential property. Requires complaint and summons, service by sheriff, notice and hearing by magistrate, and magistrate's order that the occupancy is unlawful. A person who remains in the residence after such an order is guilty of a trespass.

S 375. S.L. 2025-73. Hazing. Now law, effective December 1, 2025. Adds faculty and school personnel to persons who can commit the crime of hazing (in addition to students).

Bills that have not passed or died:

H 328. Hemp consumable regulation. Senate version now In House Rules committee. Comprehensive regulation of production and sale of hemp consumables including Delta-9. Provides for licensing of manufacturers and sales outlets of hemp consumables (as defined) by ALE; prohibits possession or purchase of hemp consumable by persons under 21 years of age; gives ALE authority to inspect premises and enforce compliance; adds Kratom (as defined) to Schedule VI of controlled substances.

H 272. Purchase retirement credit with advanced certificate. Passed House, in Senate Rules committee. Allows purchase at full cost of up to 4 years of retirement credit for law enforcement officers with Advanced Law Enforcement Certificates.

H 584. Eliminate learner's permit. Died in committee after organized opposition (including NCACP) led by Governor's Highway Safety office.

S 346 Expand Good Samaritan Immunity

S 548 Whistleblower Protection

H 289 Seat for PBA on CJ Standards Commission

H 707 and S 670 Prohibit Purchase of Chinese and Other Drones

S 701 Law Enforcement Retirees Return to Work Without Loss of Retirement Benefit

Case law update: The case of State v. Chemuti involved the issue of whether a district court defendant can subpoena law enforcement video or whether G.S. 132-1.4A requiring a petition and superior court review is the exclusive procedure for release of video. The N.C. Court of Appeals held that law enforcement video must be produced pursuant to a district court subpoena. The N.C. Supreme Court, in a split decision in which NCACP and the N.C. Sheriffs Association filed a joint amicus brief, overruled the Court of Appeals and held that G.S. 132-1.4A is the exclusive procedure for release of law enforcement video. Filed October 17, 2025.

Fred P. Baggett
Legislative Counsel