Courts, Justice, and Corrections

See full summary documents for additional detail

Prohibit Litigation Investment – Prohibit Litigation Invest/Amend Workers' Compensation Benefits.

SL 2026-14 (H315), Part I

Part I of S.L. 2026-14 (House Bill 315) enacts the Prohibit Litigation Investments Act (Act) to make it unlawful for a person to engage in litigation investment in this State or to furnish litigation investment to a party or counsel of record in a civil proceeding in this State.

In addition to any other remedies provided by law for a violation, the Attorney General is authorized to bring an action to enjoin violations of the Act, in which the court could impose a civil penalty of up to $50,000 for each violation.

Any person injured by a violation can bring an action seeking damages. An injured person can elect at judgment between an award of compensatory damages as measured by the trier of fact or an award of treble the amount of the full potential litigation investment contemplated by the investor as statutory damages. As part of any judgment the injured person would also be entitled to an award of court costs and reasonable attorneys' fees.

As used in the Act, the term "litigation investment" means the provision of money for the fees, costs, and expenses related to a pending or potential civil proceeding in exchange for the right to receive repayment or other consideration that is contingent in any respect on the outcome of the proceeding.

The following activities are not a prohibited "litigation investment" under the Act:

- The provision of legal services on a contingency fee basis or the advance of costs and expenses by an attorney or law firm in accordance with the North Carolina Rules of Professional Conduct.
- An insurer's or other entity's contractual obligation to indemnify or defend a party to a civil proceeding.
- A nonprofit organization's provision of money for the fees, costs, or expenses of a civil proceeding commenced by the organization on behalf of itself or its members, or the provision of money to or by a nonprofit legal services organization for pro bono, cost-free representation of a client in a civil proceeding, so long as any repayment amount is limited to the original amount plus reasonable interest.
- A direct loan to a party, law firm, or attorney so long as repayment of the loan is not contingent on the outcome of any civil proceeding.
- The provision of financial support to a party for personal and household expenses during the pendency of a civil proceeding so long as it is not used for the fees, costs, or expenses of the proceeding.
- An immediate family member's provision of financial support to a party for fees, costs, or expenses of a civil proceeding or for personal and household expenses during the

pendency of the proceeding, regardless of whether the immediate family member receives a right to any portion of the recovery in the civil proceeding or any other right to repayment that is contingent on the outcome of the proceeding.

This Part became effective June 22, 2026, and applies to civil proceedings commenced on or after that date, and applies to contracts entered into, renewed, or amended on or after that date.

Cooperation with Federal Immigration Officials – North Carolina Border Protection Act.

SL 2026-19 (S153), Part I

Part I of S.L. 2026-19 (Senate Bill 153), as amended by Sections 5.9(b1) through 5.9(b4) of S.L. 2026-41 (Senate Bill 257), directs the Secretary of the Department of Public Safety (DPS), the Secretary of the Department of Adult Correction (DAC), the Commander of the State Highway Patrol (SHP), and the Director of the State Bureau of Investigation (SBI) to do all the following:

- Enter into Memorandums of Agreement (MOAs) with the Director of U.S. Immigration and Customs Enforcement (ICE) pursuant to Section 287(g) of the Immigration and Nationality Act (8 U.S.C. § 1357(g)) to perform immigration law enforcement functions under the supervision of ICE.
- Develop policies requiring employees of each agency to do all the following:
    - Have employees attempt to determine if any person in the custody of or under the supervision of the agency is a legal resident or citizen of the United States by asking the person questions or examining relevant documents.
    - If an employee cannot determine a person's status by conducting the above inquiry, then the employee is required to make an ICE query.
    - If an employee determines that the person is not a legal resident or citizen of the United States, then the employee is required to provide information requested by ICE.
- Cooperate to the fullest extent allowed by law with ICE.
- Report the MOAs and policies required by this act to the Joint Legislative Oversight Committee on Justice and Public Safety no later than October 1, 2026.

The State Auditor is required to perform an audit to determine that agencies are complying with the above requirements and report those results to the General Assembly no later than December 31, 2026.

This act was vetoed by the Governor on June 20, 2025, and that veto was overridden by the General Assembly on June 24, 2026. This Part became effective June 24, 2026.

Pay Exceptions/Special Separation Allowance.

SL 2026-33 (H481)

S.L. 2026-33 (House Bill 481) allows State and local law enforcement officers (LEOs) to maintain eligibility for the special separation allowance after a break in continuous service due to any type of retirement. Previously, continued eligibility for the special separation allowance was only permitted due to a break in service for disability retirement.

The act also ends the payment of the special separation allowance when a retired State LEO is reemployed by a State department, agency, or institution that both:

- Requires participation in the Teachers' and State Employees' Retirement System.
- Is either (i) subject to the North Carolina Human Resources Act or (ii) located in the same agency from which the officer retired.

This act became effective July 2, 2026. The provisions that apply to ending payment of the special separation allowance for State LEOs apply to reemployment occurring on or after that date.

Jaleeyah's Law.

SL 2026-37 (H1173)

S.L. 2026-37 (House Bill 1173) does the following:

- Increases court costs in every criminal case in superior and district court where the defendant is convicted.
- Makes changes to the following definitions:
    - "Criminal gang" is modified to remove the requirement that the commission of criminal or delinquent acts be one of a group's primary activities. Instead, engaging in criminal gang activity generally qualifies a group as a criminal gang, in addition to meeting other criteria.
    - "Criminal gang activity" is modified to remove the requirement that a qualifying criminal offense be committed to further the purpose of the criminal gang.
    - "Criminal gang leader or organizer" is modified to require that a criminal gang member acting in a position of management meet at least one of the listed criteria.
    - "Criminal gang member" is modified to require that an individual meet three or more of the listed criteria, or at least two of the criteria when one of the criteria is the following:
        - The person admits to being a member of a criminal gang.
        - The person is identified as a criminal gang member by a reliable source, including a parent or a guardian.
        - The person is in possession of or linked to a criminal gang by physical evidence, including ledgers, rosters, or membership documents.

- Increases the punishment for offenses pertaining to soliciting or encouraging participation in criminal gang activity as follows:
    - The offense of soliciting; encouraging participation is amended to increase the punishment from a Class H felony to a Class F felony for soliciting a person 18 years of age or older to participate in criminal gang activity.
    - The offense of soliciting; encouraging participation; minor is amended to increase the punishment from a Class F felony to a Class D felony for soliciting a person under 18 years of age to participate in criminal gang activity.
- Creates the offense of use, carry, or possession of a firearm by a member of a criminal gang in relation to or in furtherance of a serious felony, drug felony, or a crime of violence. A violation of this offense is a Class G felony. If a firearm is brandished during the commission of the offense, then the violation is a Class F felony. If a firearm is discharged during the commission of the offense, then the violation is a Class D felony.
- Creates the offense of sell, deliver, give, or transfer a firearm to a juvenile by a member of a criminal gang if the member has reasonable cause to believe the juvenile intends to carry, possess, discharge, or otherwise use the firearm in the commission of criminal gang activity. A person who commits this offense is guilty of a Class G felony.
- Allows criminal gang activity, membership, association, leadership, and existence to be proven through testimony of a fact, expert, or combined fact and expert witness. The testimony is admissible to show conduct, status, and customs of criminal gangs and criminal gang activity.
- Provides that any criminal proceeding brought under the Criminal Gang Suppression Act is construed to have been committed in any county in which any act was performed as part of criminal gang activity.
- Creates a new rule of evidence that allows evidence of criminal gang activity to be admissible in any proceeding in which a person is accused of conducting, participating in, or conspiring to commit criminal gang activity or in any proceeding under the Criminal Gang Nuisance Abatement Act. This evidence is admissible to prove any element of the alleged offense. In any proceeding in which the prosecution intended to offer this evidence, the prosecutor must disclose the evidence to the defendant at least 10 days in advance of the trial.
- Increases the sentencing enhancement from one class higher to two classes higher for a person convicted of a felony, other than a Class A, B1, or B2 felony, when the offense was committed as part of criminal gang activity. If a person is also found to be a leader or organizer of a criminal gang, then that person would be sentenced at three classes higher than the principal felony for which the person was convicted.

This act becomes effective December 1, 2026, and applies to costs assessed and offenses committed on or after that date.

Improve Data Collection and Further Study – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 1

Section 1 of S.L. 2026-38 (House Bill 1104) requires the North Carolina Collaboratory (Collaboratory) to study statutes, practices, and available technological resources related to the involuntary commitment (IVC) process and identify areas for improvement in the IVC process. The Collaboratory must submit to the Joint Legislative Oversight Committee on Health and Human Services a progress report by December 1, 2026, and a final report by March 1, 2027.

This section became effective July 6, 2026.

Pilot Program to Use Telehealth in Jails to Complete Involuntary Commitment First Examination – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 2

Section 2 of S.L. 2026-38 (House Bill 1104) requires the Sheriffs' Association to create a proposal for the implementation of a pilot program to utilize telehealth services to conduct first examinations for individuals in custody of county jails. The Sheriffs' Association must submit this proposal to the Joint Legislative Oversight Committee on Justice and Public Safety and the Joint Legislative Oversight Committee on Health and Human Services by March 1, 2027.

This section became effective July 6, 2026.

Plan to Utilize Mobile Crisis Units to Complete Involuntary Commitment First Examinations – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 3

Section 3 of S.L. 2026-38 (House Bill 1104) directs the Local Management Entities/Managed Care Organizations (LME/MCOs) and the Department of Health and Human Services (DHHS) to develop a plan to use mobile crisis units to enhance the efficiency of the involuntary commitment (IVC) process. The LME/MCOs and DHHS are required to consult with relevant stakeholders in developing this plan.

The LME/MCOs and DHHS must submit a report on the plan to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division by October 1, 2026.

This section became effective on July 6, 2026.

Study Lack of Use of Outpatient Commitment – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 6

Section 6 of S.L. 2026-38 (House Bill 1104) requires the North Carolina Collaboratory (Collaboratory) to conduct a study on how outpatient commitment can be more effectively used and implemented in the State. The Collaboratory must submit to the Joint Legislative Oversight Committee on Health and Human Services a progress report no later than December 1, 2026, and a final report on the study no later than March 1, 2027.

This section became effective July 6, 2026.

Study Legal Standards for Involuntary Commitment and Incapacity to Proceed – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 7

Section 7 of S.L. 2026-38 (House Bill 1104) requires the North Carolina Collaboratory (Collaboratory) to (i) conduct a comprehensive study of the differing legal standards governing involuntary commitment (IVC) and incapacity to proceed, and (ii) identify statutory revisions that would enhance each process's effectiveness. The study must include recommendations for statutory changes to address inconsistent terminology in the General Statutes and clarify procedures for the transition of individuals between IVC and incapacity to proceed proceedings.

The Collaboratory must submit to the Joint Legislative Oversight Committee on Health and Human Services (JLOCHHS) a progress report by December 1, 2026, and a final report to JLOCHHS by March 1, 2027.

This section became effective July 6, 2026.

Working Group to Address Mental Health and Criminal Justice Systems Operating as a "Revolving Door" – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 8

Section 8 of S.L. 2026-38 (House Bill 1104) requires the Department of Health and Human Services (DHHS) to establish a working group composed of representatives from the Administrative Office of the Courts and other stakeholders to examine the systemic factors contributing to the "revolving door" pattern in which individuals cycle through arrest, detention, and involuntary commitment.

Beginning on January 1, 2027, and quarterly thereafter, DHHS must report on the findings and recommendations of the group to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division.

This section became effective July 6, 2026.

Study the Provision of Medical and Behavioral Health Care in Jails – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 9

Section 9 of S.L. 2026-38 (House Bill 1104) requires the North Carolina Collaboratory (Collaboratory) to study the provision of medical and behavioral health care to individuals in custody of county jails in the State and make recommendations on improving that care. The study must be done in consultation with relevant stakeholders, including the North Carolina Sheriff's Association and the Department of Health and Human Services. The Collaboratory must submit an interim report to the North Carolina Joint Legislative Oversight Committee on Health and Human Services no later than December 1, 2026, and a final report no later than March 1, 2027.

This section became effective July 6, 2026.

Study of the Feasibility to Change the Operation or Administration of State Psychiatric Hospitals – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 10

Section 10 of S.L. 2026-38 (House Bill 1104) directs the North Carolina Collaboratory to explore the feasibility of improving the provision of services at Broughton Hospital, Central Regional Hospital, and Cherry Hospital. UNC Health and the Department of Health and Human Services are directed to cooperate with the Collaboratory to complete the required research. The Collaboratory must submit to the Joint Legislative Oversight Committee on Health and Human Services a progress report by December 1, 2026, and a final report by March 1, 2027.

This section became effective July 6, 2026.

Modify Outpatient Commitment – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 11

Section 11 of S.L. 2026-38 (House Bill 1104) makes several changes to the outpatient involuntary commitment (IVC) process.

- The following items are added to the list of required findings necessary to support an outpatient commitment recommendation after the first examination:
    - The respondent is reasonably determined to be capable of surviving safely in the community, without posing a danger to others, when engaged in treatment for the respondent's mental health.
    - The respondent has a history of declining or nonadherence to prescribed treatment, which may be evidenced by the occurrence of one or more of the following in the relevant past:
        - A demonstrated history of prior violent convictions.
        - Repeated violations of civil protective orders.
        - Repeated incarcerations.
        - Repeated involuntary inpatient psychiatric hospitalizations.
    - The respondent is scheduled to be discharged from an inpatient hospital setting or released from a county jail or state prison. An individual residing in a non-institutional setting that meets all other criteria set forth previously may be subject to outpatient commitment within the court's discretion.
- The outpatient treatment provider must examine the respondent and develop an initial outpatient treatment plan. The plan must include specific services to be provided, the recommended frequency of participation in services, the name of the provider, the arrangements made for the initial contact with each provider, and any other relevant information. The plan will be admitted into evidence and incorporated into the outpatient commitment order.
- The outpatient commitment order must show the provider responsible for care and the Local management Entity/Manages Care Organization (LME/MCO) or an alternative as determined by the Department of Health and Human Services (DHHS).
- The initial outpatient commitment timeframe is increased from a maximum of 90 days to a maximum of 180 days.
- The court must obtain the availability and consent of the provider to accept the respondent as a client before ordering outpatient commitment.
- If the respondent fails to comply with any part of the treatment plan, the provider must document efforts to solicit compliance and report these efforts to the LME/MCO, who then reports to the court with a request for supplemental hearing.
- The LME/MCO must maintain a list of all individuals on outpatient commitment and ensure the individual's care manager is aware of the treatment plan. DHHS will have access to the lists of individuals subject to outpatient orders and must keep this information confidential.
- Grant the LME/MCO, or an alternative, the authority to request the respondent be taken into custody for the purpose of an examination if the respondent fails to comply but does not clearly refuse to comply.
- The LME/MCO, or an alternative, must notify the clerk of superior court if the respondent moves to another state or unknown location.
- Create an additional option for the court when it determines during a supplemental hearing that the respondent has failed to comply with the outpatient commitment order. The court will be able to issue an order for inpatient commitment upon a finding by clear, cogent, and convincing evidence that the respondent is dangerous to himself or to others.

A finding of noncompliance with an outpatient commitment order creates a rebuttable presumption that the respondent is dangerous to self or to others.

- If a patient under outpatient commitment in one county moves to another county, the court must designate the LME/MCO, or an alternative, that will be responsible for the monitoring and supervision of the respondent in the respondent's new county of residence. The clerk must provide a copy of the court's order to the LME/MCO or alternative in the new county of residence.
- Increase the outpatient commitment period from 90 days to 180 days when a respondent is transferred from inpatient to outpatient commitment at a supplemental hearing.
- Grant DHHS access to all relevant data, court orders, records or other relevant information related to its duties. DHHS is required to keep all information confidential.

This section becomes effective December 1, 2026, and applies to proceedings that occur on or after that date.

Implement Inpatient Capacity Restoration Program – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 13

Section 13 of S.L. 2026-38 (House Bill 1104) modifies various State laws governing capacity hearings to create and implement an inpatient capacity restoration program. These modifications reflect the State policy that persons found incapable to proceed should be provided with capacity restoration services whenever feasible and appropriate and that such services should be carried out in as efficient and timely a manner as possible in order to meet the needs of justice for victims, for the public, and for those persons who stand accused of crimes.

Generally, capacity restoration services that are directed toward a defendant gaining capacity to stand trial may include any or all of the following:

- Educational instruction regarding the criminal justice system, to include assisting the defendant in understanding his or her role in the proceedings.
- Psychoeducational instruction regarding the nature of a defendant's diagnosed condition and the resources and coping skills necessary to mitigate capacity deficits caused by the condition.
- Other mental health treatment or counseling which is medically reasonable and appropriate.

This section became effective December 1, 2026, and applies to any initial or supplemental capacity hearing conducted on or after that date.

Modify Iryna's Law Effective Date – Improve Involuntary Commitment Process and Enhance Public Safety.

SL 2026-38 (H1104), Sec. 14

Section 14 of S.L. 2026-38 (House Bill 1104) moves the effective dates for certain sections of S.L. 2025-93 (Iryna's Law) that are not yet effective from future effective dates of December 1, 2026 and December 1, 2027 to the new effective date of July 1, 2028.

This section became effective July 6, 2026.

Competitive Grants to Sheriffs' Offices for Addiction Treatment in Jails – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 9G.3

Section 9G.3 of S.L. 2026-41 (Senate Bill 257), as amended by Section 4.5 of S.L. 2026-61 (House Bill 268), requires the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Use Services (DMH/DD/SUS), to allocate $2 million in recurring funds beginning in the 2026-2027 fiscal year to provide competitive grants under the MAT Grant Program (Program). MAT is defined as medication-assisted treatment. The purpose of the Program is to provide grants on a competitive basis to sheriffs' offices to assist in establishing, maintaining, or expanding MAT programs for alcohol and opioid addiction in jails (categories) and DMH/DD/SUS must use the allocated funds as prorated for each of these categories.

Receipt of a grant is prioritized based upon the following criteria for the county in which that sheriffs' office sits: (i) the rate of opioid-related deaths, (ii) the rate of opioid-related hospital admissions, (iii) the rate of violations of probation or parole due to ongoing opioid or alcohol use, and (iv) the accessibility of mental and physical healthcare. Additionally, no sheriff's office can receive grants in more than one category in any fiscal year nor can a sheriff's office receive grants totaling the entire yearly allotment of funds provided for one of the categories in any fiscal year.

If qualified grant applications do not exhaust the funds allotted for one of the categories in a given fiscal year, the remaining funds for that category for that fiscal year may be redistributed equally between the other two categories.

The Secretary of the Department of Health and Human Services (Secretary) and must convene a working group comprised of (i) the Director of the Division of Community Supervision of the Department of Adult Correction or the Director's designee, (ii) the Director of the Office of Rural Health of the Department or the Director's designee, (iii) the Section Chief for Addictions and Management Operations of DMH/DD/SUS or the Section Chief's designee, and (iv) other relevant stakeholders as determined by the Secretary. The Secretary may assign support staff.

The working group must (i) evaluate applications for each of the categories and may award lower amounts than requested to individual sheriffs' offices in order to assure broader access to funds,

(ii) ensure all FDA-approved drugs for the treatment of opioid dependence be considered as options for treatment, including long-acting, injectable medication regimens, and use any operational criteria and application processes for the MAT grant program established by State law in 2021.

This section became effective July 1, 2026.

Collection of Worthless Checks – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.1

Section 16.1 of S.L. 2026-41 (Senate Bill 257) authorizes the Judicial Department to use any balance remaining in the Collection of Worthless Checks Fund at the end of a fiscal year for the purchase or repair of office or information technology equipment during the fiscal year immediately following that fiscal year. Prior to using any such funds, the Judicial Department must report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Office of State Budget and Management on the equipment to be purchased or repaired and the reasons for the purchases.

This section became effective July 1, 2026.

Split District Court District 5 Into 5A and 5B – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.2

Section 16.2 of S.L. 2026-41 (Senate Bill 257) splits District Court District 5 into District Court Districts 5A and 5B.

This section becomes effective January 1, 2027, and subsequent elections for judgeships in District Court Districts 5A and 5B must be held accordingly.

Revise Magistrates in Various Counties – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.3

Section 16.3 of S.L. 2026-41 (Senate Bill 257), as amended by Section 6.1 of S.L. 2026-61 (House Bill 268), revises the number of magistrates in Avery, Burke, Cabarrus, Durham, Franklin, Iredell, New Hanover, Vance, and Wilson Counties.

This section generally became effective July 1, 2026, except that the transfer of one position from Vance County to Franklin County became effective July 13, 2026.

Adjust Number of Assistant District Attorneys in Various Counties – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.4

Section 16.4 of S.L. 2026-41 (Senate Bill 257) increases the number of full-time assistant district attorneys for the following counties: Edgecombe, Nash, Wilson, Cumberland, Robeson, Anson, Richmond, Scotland, Burke, Caldwell, and Catawba. This section also changes the distribution for assistant district attorneys for the following counties: Burke, Caldwell, and Catawba.

The provision that generally increases the number of assistant district attorneys for the above counties became effective July 1, 2026. The provision that changes the distributions for assistant district attorneys in Burke, Caldwell, and Catawba becomes effective January 1, 2027.

Modify Reversion and Reporting Dates for Certain Human Trafficking Commission Grants – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.6

Section 16.6 of S.L. 2026-41 (Senate Bill 257) modifies the Human Trafficking Commission Competitive Grant Program by providing that the term of each grant is for two fiscal years comprising a State budget biennium and that grant funds and any interest earned on those funds in the possession or control of a grantee that are not expended, made subject to an encumbrance, or disbursed to a subgrantee by August 31 of the fiscal year following the grant term will revert to the State. Additionally, this section provides that grantees must report to the Human Trafficking Commission by August 31 of each year following a year in which a grantee received funds and that the Human Trafficking Commission must report to the General Assembly by October 31 of each year on the grants awarded in the previous year.

This section became effective July 1, 2026, and applies to grants awarded on or after that date.

Report on Human Trafficking Commission Study – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.8

Section 16.8 of S.L. 2026-41 (Senate Bill 257) requires the Human Trafficking Commission to submit a report to the Joint Legislative Oversight Committee on Justice and Public Safety providing an update on its progress in using funds appropriated in S.L. 2026-41 to develop a comprehensive State assessment of human trafficking data and efforts to combat human trafficking. This report must be submitted by September 1, 2027.

This section became effective July 1, 2026.

Revise Law Governing Electronic Signatures of Court Documents – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.9

Section 16.9 of S.L. 2026-41 (Senate Bill 257) amends the law related to electronic filing in courts (G.S. 7A-49.5) to codify a temporary uncodified provision enacted in Section 24 of S.L. 2025-70. This section allows the chief district court judge and senior resident superior court judge of their respective districts to establish rules to allow for the court's manual signature on orders of the court executed outside of court and on fee application orders.

This section became effective July 7, 2026.

Change Name Of North Carolina Innocence Inquiry Commission – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.10

Section 16.10 of S.L. 2026-41 (Senate Bill 257) changes the name of the "North Carolina Innocence Inquiry Commission" to the "North Carolina Postconviction Review Commission" and makes certain technical and conforming updates.

This section became effective July 1, 2026.

Amend Recipients of Annual Reports on Business Courts – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.11

Section 16.11 of S.L. 2026-41 (Senate Bill 257) removes the requirement that the Director of the Administrative Office of the Courts provide annual reports on business courts to every member of the General Assembly.

This section became effective July 7, 2026, and applies to reports prepared on or after that date.

Statewide Misdemeanant Confinement Program/Revise Reporting Date on Five-Year Projection – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.12

Section 16.12 of S.L. 2026-41 (Senate Bill 257) revises the reporting date that the North Carolina Sentencing and Policy Advisory Commission must report its projections of available bed space in the Statewide Misdemeanant Confinement Program to March 15 of each year.

This section also repeals Section 12(d) of House Bill 308, which included a previous amendment to that date, if that act becomes law.

This section became effective July 7, 2026, and applies to reports submitted on or after that date.

Extend Reporting Requirement for the North Carolina Legal Education Assistance Foundation (NC LEAF) Funds – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.13

Section 16.13 of S.L. 2026-41 (Senate Bill 257) amends the reporting requirement that was enacted in Section 16.9 of S.L. 2023-134 related to North Carolina Legal Education Assistance Foundation (NC LEAF) funds to require an annual report until the funds have been exhausted.

This section became effective July 7, 2026, and applies to reports submitted on or after that date.

Clarify Distinction Between Costs and Expenses Awarded – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.15

Section 16.15 of S.L. 2026-41 (Senate Bill 257) modifies G.S. 7A-305 to clarify that fees can be awarded to the prevailing party in a civil action.

This section became effective July 7, 2026, and applies to actions pending or filed on or after that date and applies to judgments entered and docketed before July 7, 2026 for which costs have been docketed.

Revise Mileage Reimbursement for Members of the Sentencing Commission – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.16

Section 16.16 of S.L. 2026-41 (Senate Bill 257) provides that all members of the North Carolina Sentencing and Policy Advisory Commission receive travel expenses at the rate that applies to members of the Commission who are employed by the Judicial Branch.

This section becomes effective December 1, 2026.

Permit Local Supplementation for Magistrate Pay – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.17

Section 16.17 of S.L. 2026-41 (Senate Bill 257) allows the Administrative Office of the Courts to contract with the governing body of a city or county for the provision of local funds to supplement the salaries of magistrates.

This section became effective July 7, 2026.

Increase Number of Special Assistant United States District Attorneys – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.18

Section 16.18 of S.L. 2026-41 (Senate Bill 257) increases the permitted number of assistant district attorney positions assigned to specific counties by the North Carolina Conference of District Attorneys for the purpose of serving as special assistant United States attorneys from a maximum of 12 positions to a maximum of 16 positions.

This section became effective July 1, 2026.

Establish Procedure for Complex Family Financial Case Disposition. – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.19

Section 16.19 of S.L. 2026-41 (Senate Bill 257), as amended by Sec. 5.1 of S.L. 2026-42 (House Bill 56), establishes a procedure for certain claims related to equitable distribution, alimony, postseparation support, and child support to be designated as a complex family financial case and heard by a Complex Family Financial Court Judge.

By September 1, 2026, the Chief Justice of the North Carolina Supreme Court (Chief Justice) must appoint 3 Complex Family Financial Court Judges who meet minimum requirements and designate 1 of them as the Chief Complex Family Financial Court Judge. In addition to scheduling hearings, the Chief Judge must determine which cases are complex family financial cases and must collaborate with the Administrative Office of the Courts to provide an annual report, beginning August 1, 2027, on the program.

Beginning January 1, 2027, a party can file a notice designating a claim as a complex family financial case and the other party can oppose it. This section provides factors to be considered by the Chief Complex Family Financial Court Judge when determining whether a case is a complex family financial case including the value of real and personal property, the existence of issues related to trusts, businesses, and retirement accounts, and other financial issues that can make a determination of property division or support obligations more complex.

If a claim is designated as a complex family financial claim, there is an additional court cost of $1,100 that is paid in equal shares by the parties.

This section became effective July 1, 2026.

Establish Council of District Attorneys – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.20

Section 16.20 of S.L. 2026-41 (Senate Bill 257) establishes The Council of District Attorneys (Council) as an independent department within the Judicial Branch to coordinate the prosecution efforts of the various district attorneys and assist in the administration of their offices.

The Council consists of the President of the Conference of District Attorneys (Conference), the Vice-president of the Conference, and 7 additional members of the Conference that are elected by the Conference, and the Council shall employ an executive director.

This section transfers appropriations and budget authority from the Administrative Office of the Courts (AOC) to the Council and directs the Executive Committee of the Conference to report by December 1, 2026, on a plan for the orderly transfer of this authority and any other matters needed for implementation of this section.

Provisions of this section related to elements of the transition became effective July 7, 2026. The creation of the Council and the administration of prosecution services under that entity becomes effective July 1, 2027.

Modify General Court of Justice Costs – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.21

Section 16.21 of S.L. 2026-41 (Senate Bill 257) increases certain costs assessed for the support of the General Court of Justice in criminal and civil actions.

Section 16.21(a) of S.L. 2026-41 and Section 1(a) of S.L. 2026-37 are substantively identical.

This section becomes effective December 1, 2026, and applies to costs assessed on or after that date.

Modify Civil Revocation Fee – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.22

Section 16.22 of S.L. 2026-41 (Senate Bill 257) increases the fee from $100 to $200 that certain persons charged with an implied-consent offense must pay before that person's revoked license may be restored. This results in the following distributions:

- $50 per fee (25%) credited to the General Fund.
- $50 per fee (25%) to be used to fund a statewide chemical alcohol testing program administered by the Injury Control Section of the Department of Health and Human Services.
- $100 per fee (50%) remitted to the county for the sole purpose of reimbursing the county.

This section becomes effective December 1, 2026, and applies to fees assessed on or after that date.

Increase Telecommunications and Data Connectivity Fee – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.23

Section 16.23 of S.L. 2026-41 (Senate Bill 257) increases to $14 the telecommunications and data connectivity fee contained in the court costs for criminal matters (G.S. 7A-304), special proceedings (G.S. 7A-306), and administration of estates (G.S. 7A-307). The fee for civil court costs (G.S. 7A-305) remains $4.

This section becomes effective December 1, 2026, and applies to costs assessed on or after that date.

Adjust Appointment Authority for Certain Special Superior Court Judge Positions – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.24

Section 16.24 of S.L. 2026-41 (Senate Bill 257), as amended by Section 5.1 of S.L. 2026-42 (House Bill 56), adjusts the appointment authority for certain special superior court judge positions. Specifically, this section provides that effective January 1, 2025, upon the retirement, resignation, removal from office, death, or expiration of the term of two special superior court judgeships filled by appointment of the Governor, each judgeship shall be filled by the General Assembly through enactment of a bill.

This section became effective July 1, 2026.

IOLTA Revisions – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.25

Section 16.25 of S.L. 2026-41 (Senate Bill 257), as amended by Section 6.3 of S.L. 2026-61, does the following:

- Establishes the North Carolina Interest on Lawyers' Trust Accounts (NC IOLTA) Board of Trustees under the North Carolina State Bar to administer funds received by the North Carolina State Bar from banks by reason of interest earned on general trust accounts established by lawyers or interest earned on trust or escrow accounts maintained by settlement agents. The Board consists of nine members: three persons appointed by the Council of the North Carolina State Bar, two persons appointed by the Chief Justice of the Supreme Court of North Carolina, two persons appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate, and two persons appointed by the General Assembly upon the recommendation of the Speaker of the

House of Representatives. The Chief Justice will designate one of the Chief Justice's appointees as Chair of the Board, and the Chair of the Board can designate another member as the vice-chair.

- Provides that NC IOLTA grants will not be awarded to any of the following:
    - Any entity that provides representation, assistance, or advocacy in matters governed by federal immigration law.
    - Any entity that provides representation, assistance, or advocacy in matters related to the performance of or in furtherance of surgical gender transition procedures, or the provision of puberty-blocking drugs or cross-sex hormones to a minor.
    - Any entity that engages in any oral, written, or electronically transmitted communication or any advertisement, telegram, letter, article, newsletter, or other printed or written matter or device which contains a direct suggestion to the public to contact public officials in support of or in opposition to pending or proposed legislation, regulations, executive decisions, or any decision by the electorate on a measure submitted to it for a vote.
- Provides that NC IOLTA grants can be made from available funds not used to cover administrative expenses as follows:
    - No more than $15 million per fiscal year of funds received on or after July 1, 2025, to the Office of Indigent Defense Services for the Private Assigned Counsel (PAC) Fund.
    - All unexpended and unencumbered funds received prior to July 1, 2025, for programs designed to improve the administration of justice as may be proposed by the IOLTA Board of Trustees and approved annually by the North Carolina Supreme Court. No more than $2.5 million can be used per fiscal year for these grants.
- Requires the North Carolina State Bar to adopt rules to amend its rules consistent with this section by no later than November 1, 2026, including temporary rules if necessary.
- Provides that all funds received by the North Carolina State Bar from banks by reason of interest earned on general trust accounts established by lawyers or interest earned on trust or escrow accounts maintained by settlement agents will not be encumbered or expended for the purpose of awarding grants or for any purpose other than administrative costs except pursuant to this section.

This section became effective July 1, 2026.

Require the Commission on Indigent Defense Services to Provide Confidential Public Defender Performance Evaluations to Senior Resident Superior Court Judges – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.26

Section 16.26 of S.L. 2026-41 (Senate Bill 257) requires that, prior to the end of a public defender's term pursuant to an appointment, the Commission on Indigent Defense Services (Commission) must submit a performance evaluation for that public defender to the senior resident superior court judge who is the appointing authority of that public defender.

During one or more closed sessions of the Commission, the performance evaluation must be developed and adopted by a majority vote of a quorum of the Commission. Generally, all information pertaining to a performance evaluation is confidential, not a public record, and is not subject to discovery or subpoena in a civil or criminal action.

This section became effective July 7, 2026, and applies to public defender terms ending on or after November 30, 2026.

Duty Station Study and Report – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.28

Section 16.28 of S.L. 2026-41 (Senate Bill 257) requires the Office of Indigent Services to study any potential cost-savings that may be attained by reducing the footprint of leased office spaces. The Office of Indigent Services must submit a report by March 1, 2027 to the Joint Legislative Oversight Committee on Justice and Public Safety and the Fiscal Research Division on its findings that must include (i) the location of duty stations for employees of the Office of the Capital Defender and (ii) the utilization of all leased office spaces by all employees of the Office of Indigent Services with a duty station in the City of Durham.

This section became effective July 1, 2026.

Revisions to Private Assigned Counsel Fees – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.29

Section 16.29 of S.L. 2026-41 (Senate Bill 257) provides that changes in fees for private assigned counsel and rates of compensation for expert witnesses adopted by the Office of Indigent Defense Services (IDS) shall not be implemented without the prior approval of the General Assembly. Additionally, this section authorizes IDS to increase private assigned counsel fees by no more than $30 over the rate as it existed on July 1, 2026.

This section became effective July 7, 2026 and applies to changes in rates or fees implemented on or after that date.

Increase Indigent Defense Fee – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.30

Section 16.30 of S.L. 2026-41 (Senate Bill 257) increases the indigent defense fee to be remitted to the Office of Indigent Defense Services for the Private Assigned Counsel Fund from $5 to $25.

This section becomes effective December 1, 2026, and applies to costs assessed on or after that date.

Establish Public Defender District 22 to Serve Caswell and Rockingham Counties – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.31

Section 16.31 of S.L. 2026-41 (Senate Bill 257) establishes Public Defender District 22 to serve Caswell and Rockingham Counties.

This section became effective July 1, 2026.

Center for Community Transitions/Contract and Report – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.1

Section 17.1 of S.L. 2026-41 (Senate Bill 257) grants the Department of Adult Correction (DAC) the authority to continue to contract with The Center for Community Transitions, Inc. (The Center), or any successor entity, for the purchase of prison beds for minimum security female inmates.

The Center, or any successor entity, must report by February 1 of each year to the chairs of the House of Representatives Appropriations Committee on Justice and Public Safety on the annual cost per inmate and the average daily inmate population compared to bed capacity using the same methodology that is used by the DAC.

The first report required by this section must be submitted no later than February 1, 2027. This section became effective July 1, 2026.

Increase Statewide Misdemeanant Confinement Program Daily Amount/Reimburse Housing Inmates Awaiting Transfer – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.3

Section 17.3 of S.L. 2026-41 (Senate Bill 257) makes the following changes to reimbursement of counties housing inmates:

- Increases the daily reimbursement to counties housing inmates under the Statewide Misdemeanant Confinement Program (SMCP) from the previous $40 up to $50 per inmate.
- Authorizes the Department of Adult Correction to reimburse counties for the cost of housing convicted inmates, parolees, and post-release supervisees awaiting transfer to the State prison system at a rate of up to $50 per day per prisoner awaiting transfer.

This section became effective July 1, 2026. The increase in reimbursement for SCMP applies to misdemeanants housed on or after that date.

Nurse Staffing At State Prisons Report – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.4

Section 17.4 of S.L. 2026-41 (Senate Bill 257) makes the following two modifications to the laws related to the Department of Adult Correction (DAC):

- DAC is required to submit a report by February 1, 2027, and annually thereafter, providing the Joint Legislative Oversight Committee on Justice and Public Safety with certain information related to nursing positions within DAC and the use of temporary contract nursing services.
- DAC is allowed in its discretion to convert funds appropriate for contractual nursing services into permanent nursing positions.

This section became effective July 1, 2026.

Interstate Compact Fees to Support Training Programs and Equipment Purchases – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.6

Section 17.6 of S.L. 2026-41 (Senate Bill 257) provides that fees collected for the Interstate Compact Fund during a fiscal biennium can be used by the Department of Adult Correction during that fiscal biennium to provide training programs and equipment purchases for the Division of Community Supervision and Reentry of the Department of Adult Correction, but only to the extent sufficient funds remain available in the Fund to support the mission of the Interstate Compact Program. No later than October 1 of each fiscal year, the Department of Adult Correction must report to the Joint Legislative Oversight Committee on Justice and Public Safety on the amount of funds used and for what purposes the funds were used.

This section became effective July 7, 2026, and applies to fees collected on or after that date.

Use of Seized and Forfeited Property – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.7

Section 17.7 of S.L. 2026-41 (Senate Bill 257) requires seized and forfeited assets transferred to the Department of Adult Correction (DAC) during the 2026-2027 fiscal year pursuant to applicable federal law to be credited to the budget of the DAC and result in an increase of law enforcement resources for the DAC. The DAC must make the following reports to the chairs of the House of Representatives Appropriations Committee on Justice and Public Safety and the Senate Appropriations Committee on Justice and Public Safety:

- A report upon receipt of any assets.
- A report that must be made prior to the use of the assets on their intended use and the departmental priorities on which the assets may be expended.

- A report on receipts, expenditures, encumbrances, and availability of these assets for the previous fiscal year, which must be made no later than September 1 of each year.

The DAC is prohibited from using these assets for certain purposes without the prior approval of the General Assembly.

This section became effective July 1, 2026.

Further Delineate Reimbursement Procedures for Roadway Cleanup Program – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.8

Section 17.8 of S.L. 2026-41 (Senate Bill 257) amends the authorization for inmates in the Statewide Misdemeanant Confinement Program (SMCP) to be utilized for roadway cleanup, including the removal of debris resulting from major disaster declarations as follows:

- Defines "housing night" as a night spent by an individual inmate in the custody of the sheriff pursuant to SMCP.
- Increases the reimbursement rate to counties for inmates utilized for roadway cleanup from $60 to $70 per inmate per day, if the sheriff meets the modified requirements of this section.
- Modifies the eligibility for increased reimbursement for SMCP inmates performing roadway cleanup based on the following work hour and housing night requirements:
    - 50 work hours, if the sheriff did not exceed 100 housing nights in the calendar month 3 months prior to the month in which the work hours occur.
    - 150 work hours, if the sheriff totals 101 to 200 housing nights in the calendar month 3 months prior to the calendar month in which the work hours occur.
    - 250 work hours, if the sheriff totals 201 to 300 housing nights in the calendar month 3 months prior to the calendar month in which the work hours occur.
    - 350 work hours, if the sheriff totals 301 to 400 housing nights in the calendar month 3 months prior to the calendar month in which the work hours occur.
    - 450 work hours, if the sheriff totals 401 to 500 housing nights in the calendar month 3 months prior to the calendar month in which the work hours occur.
    - 500 work hours, if the sheriff exceeds 500 housing nights in the calendar month 3 months prior to the calendar month in which the work hours occur.

This section becomes effective October 1, 2026, and applies to work hours performed in the next calendar month after this section becomes effective.

Amend Inmate Medical Cost Containment Reporting Requirement – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.9

Section 17.9 of S.L. 2026-41 (Senate Bill 257) changes the inmate medical cost reporting requirement for the Department of Adult Correction in the following two ways:

- The report is also required to be submitted to the Joint Legislative Oversight Committee on Health and Human Services.
- The report is changed from a quarterly report to a semi-annual report.

This section became effective July 7, 2026, and applies to reports submitted on or after that date.

Revise Recipients and Frequency of Statewide Misdemeanant Confinement Program Report – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.10

Section 17.10 of S.L. 2026-41 (Senate Bill 257) modifies certain reporting requirements related to the Statewide Misdemeanant Confinement Program as follows:

- The North Carolina Sheriffs' Association must submit the report no later than the 15th day of March and September of each year instead of the 15th day of each month.
- The North Carolina Sheriffs' Association must submit the report to the Joint Legislative Oversight Committee on Justice and Public Safety, in addition to the Office of State Budget and Management and the Fiscal Research Division of the General Assembly.

This section became effective July 7, 2026, and applies to reports submitted on or after that date.

Moratorium on Sale or Disposition of Prison Facilities and Repeal of the Department of Adult Correction's Exemption from the General Law Governing the Application of Net Proceeds from Dispositions – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.11

Section 17.11 of S.L. 2026-41 (Senate Bill 257) does the following:

- Prohibits the Department of Adult Correction (Department) from selling or otherwise disposing of a prison facility until July 1, 2028, excepting prison facilities that have not been in operation since July 1, 2016.
- Repeals the Department's exemption from the general law governing the application of net proceeds from dispositions.

This section became effective July 1, 2026, and the repealed provision above applies to dispositions made on or after that date.

Usage of Funds from Vacant Position Cuts – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.13

Section 17.13 of S.L. 2026-41 (Senate Bill 257) prohibits the Department of Adult Correction (Department) from increasing an employee's salary with savings from eliminating any vacant position if the employee is (i) grade NC26 or higher on the North Carolina standard compensation plan or (ii) grade LG09 or higher on the Legal compensation plan.

This section became effective July 1, 2026, and applies to actions taken by the Department on or after that date.

Require the Department of Adult Correction to Obtain Appraisals of Certain Properties – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 17.14

Section 17.14 of S.L. 2026-41 (Senate Bill 257) requires the Department of Adult Correction (Department) to obtain an appraisal assessing the value for each of the following properties according to their best and highest use and submit the appraisals to the Joint Legislative Oversight Committee on Justice and Public Safety and the Fiscal Research Division no later than January 1, 2027:

- Any property owned by the Department that is located along the French Broad River in the Counties of Buncombe, Henderson, Madison, and Transylvania, including the Craggy Correctional Center and Craggy Laundry.
- Any property owned by the Department that (i) is located on Blue Ridge Road in the City of Raleigh and (ii) was not transferred to the Department of Natural and Cultural Resources for use by the North Carolina Museum of Art.

This section became effective July 1, 2026.

Use of Seized and Forfeited Property – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 18.1

Section 18.1 of S.L. 2026-41 (Senate Bill 257) does the following:

- Provides that seized and forfeited assets transferred to the Department of Justice (DOJ) during the 2026-2027 fiscal year under federal law must be credited to the DOJ's budget.
- Requires the DOJ to make the following reports to the chairs of the House of Representatives Appropriations Committee on Justice and Public Safety and the Senate Appropriations Committee on Justice and Public Safety:

    - A report upon receipt of any assets.
    - A report that must be made prior to use of the assets on their intended use.
    - A report on receipts, expenditures, encumbrances, and availability of these assets for the previous fiscal year which must be made no later than September 1 of each year.
- Prohibits DOJ from using seized and forfeited assets transferred under federal law for new personnel positions, new projects, and other specified purposes without prior approval of the Geneal Assembly.
- Clarifies that this section does not prohibit State law enforcement agencies from receiving funds from the United States Department of Justice, the United States Department of the Treasury, and the United States Department of Health and Human Services.

This section became effective July 1, 2026.

Time-Limited Attorneys for Capital Cases – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 18.3

Section 18.3 of S.L. 2026-41 (Senate Bill 257) requires that, of the funds appropriated in S.L. 2026-41 to the Department of Justice (DOJ) to hire time-limited attorneys, the attorneys hired must focus solely on capital cases.

Any funds described in this section that remain unspent or unencumbered at the end of the 2026-2027 fiscal year must not revert and must remain available until June 30, 2029. Any funds described in this section that remain unspent or unencumbered on June 30, 2029, must revert to the General Fund and remain unspent until appropriated by an act of the General Assembly.

By June 1, 2027, and annually thereafter, the DOJ must report certain information for the year prior to the Joint Legislative Oversight Committee on Justice and Public Safety and the Fiscal Research Division.

This section became effective July 1, 2026.

No Transfer of Positions to Other State Agencies – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 19.1

Section 19.1 of S.L. 2026-41 (Senate Bill 257) prohibits the Office of State Budget and Management from transferring any positions, personnel, or funds from any of the following State agencies to any other State agency during a fiscal biennium, unless the transfer is included (i) in the base budget for one or both years of that biennium or (ii) otherwise authorized by legislation enacted during or applicable to that biennium:

- The Department of Public Safety.
- The Department of Adult Correction.
- The State Bureau of Investigation.

- The State Highway Patrol.

This does not apply to the consolidation of information technology positions into the Department of Information Technology pursuant to general law.

The section became effective July 1, 2026, and applies to transfers on or after that date.

Use of Seized and Forfeited Property – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 19.3

Section 19.3 of S.L. 2026-41 (Senate Bill 257) does the following:

- Credits seized and forfeited assets transferred to the Alcohol Law Enforcement Division of the Department of Public Safety (ALE) during the 2026-207 fiscal year to the budget of the ALE, resulting in an increase of law enforcement resources for the ALE.
- Requires the ALE to make the following reports to the chairs of the House of Representatives Appropriations Committee on Justice and Public Safety and the Senate Appropriations Committee on Justice and Public Safety:
    - A report upon receipt of any assets.
    - A report that is made prior to use of the assets on their intended use and the departmental priorities on which the assets can be expended.
    - No later than September 1 annually, a report on receipts, expenditures, encumbrances, and availability of these assets for the previous fiscal year.
- Prohibits the ALE from using seized and forfeited assets for the following purposes without prior approval of the General Assembly:
    - New personnel positions or projects.
    - Acquisition of real property.
    - Repair of buildings where the repair includes structural change.
    - Construction of or additions to buildings.
- Clarifies that nothing in this section prohibits State law enforcement agencies from receiving funds from the United States Department of Justice, the United States Department of the Treasury, and the United States Department of Health and Human Services.

This section became effective July 1, 2026.

Repeal Law Enforcement Traffic Statistics Report – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 19.4

Section 19.4 of S.L. 2026-41 (Senate Bill 257) repeals G.S. 143B-903, which required State and county law enforcement officers and many municipal law enforcement officers to report certain data for every traffic stop except for DWI checkpoints and other roadblocks. The Department of Public Safety was required to collect and publish the data annually. This section also makes a conforming change to G.S. 143B-393(a)(9).

This section became effective July 1, 2026.

Critical Infrastructure Theft – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 19.5

Section 19.5 of S.L. 2026-41 (Senate Bill 257) increases the punishment for willfully and wantonly cutting, mutilating, defacing, or otherwise injuring personal or real property of another, or attempting to do so, in a manner that damages any critical infrastructure to a Class C felony and requires mandatory restitution for that offense.

This section also creates a new offense for unlawfully possessing nonferrous metals used, or intended to be used, in the provision of critical infrastructure, knowing the materials were unlawfully obtained. A first offense is a Class 1 misdemeanor, and a second or subsequent offense is a Class H felony.

This section becomes effective December 1, 2026, and applies to offenses committed on or after that date.

Limit Use of Community Programs – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 19.10

Sec 19.10 of S.L. 2026-41 (Senate Bill 257) creates limitations on the use of community program contract funds by the Department of Public Safety (the Department.) This section provides that funds appropriated to the Department for community program contracts, that are not required for or used for community program contracts, cannot be used for staffing, operations, or maintenance, and can only be used for the following:

- Other statewide residential programs that provide Level 2 intermediate dispositional alternatives for juveniles.
- Statewide community programs that provide Level 2 intermediate dispositional alternatives for juveniles.
- Regional programs that are collaboratives of two or more Juvenile Crime Prevention Councils which provide Level 2 intermediate dispositional alternatives for juveniles.
- The Juvenile Crime Prevention Council funds to be used for the Level 2 intermediate dispositional alternatives for juveniles listed in G.S. 7B-2506(13) through (23).

This section became effective July 1, 2026.

Modify Appointment Requirements for Juvenile Forensic Evaluators – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 19.11

Section 19.11 of S.L. 2026-41 (Senate Bill 257) modifies the appointment requirements for juvenile forensic evaluators by requiring that the forensic evaluator is employed by, or under contract with a Local Management Entity/ Managed Care Organization (LME/MCO) and is paid by the LME/MCO with public funds.

This section becomes effective December 1, 2026, and applies to forensic evaluators appointed on or after that date.

Use of Seized and Forfeited Property – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.1

Section 20.1 of S.L. 2026-41 (Senate Bill 257) credits seized and forfeited assets transferred to the State Bureau of Investigation (SBI) during the 2026-2027 fiscal year pursuant to federal law to the budget of the SBI for an increase of law enforcement resources for the SBI. However, the use of these assets for new personnel positions, new projects, acquisition of real property, repair of buildings where the repair includes structural change, and construction of or additions to buildings must first be approved by the General Assembly.

The SBI must make the following reports to the chairs of the House of Representatives Appropriations Committee on Justice and Public Safety and the Senate Appropriations Committee on Justice and Public Safety:

- A report upon receipt of any assets.
- A report that must be made prior to use of the assets on their intended use and the departmental priorities on which the assets may be expended.
- A report on receipts, expenditures, encumbrances, and availability of these assets for the previous fiscal year, which must be made no later than September 1 of each year.

This section became effective July 1, 2026.

Workers' Compensation for Reserve Officers – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.3

Section 20.3 of S.L. 2026-41 (Senate Bill 257) provides that persons serving as reserve law enforcement officers for the State Bureau of Investigation are considered employees of the Bureau for workers' compensation purposes while performing duties assigned or approved by the Director of the Bureau or the Director's designee.

This section became effective July 1, 2026.

Add the State Bureau of Investigation and the State Highway Patrol to the State Vacant Positions Report – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.4

Section 20.4 of S.L. 2026-41 (Senate Bill 257) requires the State Bureau of Investigation and the State Highway Patrol, no later than February 1 annually, to report to the Chairs of the House and Senate Appropriations Committees and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety on all positions within that department that have remained vacant for 12 months or more, including the original position vacancy dates, the dates of any postings or repostings of the positions, and an explanation for the length of the vacancies.

This section became effective July 1, 2026.

Repeal Outdated Report on Gang Prevention Recommendations – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.5

Section 20.5 of S.L. 2026-41 (Senate Bill 257) repeals a statute requiring the State Highway Patrol, in conjunction with the State Bureau of Investigation and the Governor's Crime Commission, to annually report recommendations to the General Assembly concerning the establishment of priorities and needed improvements with respect to gang prevention.

This section became effective July 1, 2026.

Exempt the State Bureau of Investigation from Department of Information Technology Article – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.6

Section 20.6 of S.L. 2026-41 (Senate Bill 257) amends G.S. 143B-1320(b) to exempt the State Bureau of Investigation from Article 15 of Chapter 143, which covers the Department of Information Technology.

This section became effective July 1, 2026.

Eliminate the Criminal Justice Information Network Governing Board – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.8

Section 20.8 of S.L. 2026-41 (Senate Bill 257) eliminates the Criminal Justice Information Network Governing Board (Board). The balances of appropriations, allocations, or other funds for the Board, any other remaining resources, and certain responsibilities and reporting requirements of

the Board are transferred from the Department of Public Safety to the State Bureau of Investigation.

This section became effective July 1, 2026.

School Safety Grants – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.9

Section 20.9 of S.L. 2026-41 (Senate Bill 257) directs the Executive Director of the Center for Safer Schools to establish the School Safety Grants Program (Program) for the 2026-2027 fiscal year. The purpose of the program is to improve safety in public school units by providing grants for (i) services for students in crisis, (ii) school safety training, (iii) safety equipment in schools, and (iv) subsidizing the School Resource Officer Grants Program.

This section sets out the grant application process and criteria and guidelines for the administration and use of the grants. The program provides for grants for (i) students in crisis, (ii) training to increase school safety, and (iii) safety equipment. Additionally, funds may be used to cover applications received for funding for school resource officers if applications exceed the funding appropriated for school resource officer funding.

The Executive Director of the Center for Safer Schools shall report on the program to the General Assembly not later than April 1, 2027.

This section became effective July 1, 2026.

Critical Incident School Mapping Data – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.10

Section 20.10 of S.L. 2026-41 (Senate Bill 257) creates a new requirement that each public school be mapped for the purpose of providing digital mapping information to first responders who respond to emergencies at the schools. The Center for Safer Schools (Center) is required to establish a Critical Incident School Mapping Program (Program). The Center is required to work with governing bodies of public school units to produce accurate mapping data for each public school unit in North Carolina. The State Bureau of Investigation in consultation with the Center is authorized to enter into contracts with vendors to provide the mapping services. There are certain guidelines that require electronic access for first responders by keeping the data in certain accessible formats and otherwise create limitations on the storage and access of the mapping data.

This section became effective July 1, 2026, and the contracting and procurement required by this section must be completed by January 31, 2027.

Adjust User Fee for Division of Criminal Information – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.11

Section 20.11 of S.L. 2026-41 (Senate Bill 257) increases the fees that the State Bureau of Investigation can charge agencies participating in the Division of Criminal Information from $25.00 to $33.00 per desktop device and from $12.00 to $20.00 per mobile device.

This section became effective July 1, 2026, and applies to fees levied on or after that date.

Transfer Samarcand Training Academy to the State Bureau of Investigation – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.12

Section 20.12 of S.L. 2026-41 (Senate Bill 257), as amended by Section 6.10 of S.L. 2026-61 (House Bill 268), does the following:

- Transfers all functions, powers, duties, and obligations vested in the Samarcand Training Academy in the Department of Public Safety (DPS) to the State Bureau of Investigation (SBI) by a Type I transfer.
- Transfers the former East Montgomery High School facility that was operated as a training facility within DPS to the SBI.
- Recodifies G.S. 143B-1001 as G.S. 143B-1209 and provides that, except in certain circumstances, North Carolina Basic Law Enforcement Training (BLET) must not be held at the Samarcand Training Academy for certain public safety personnel or agencies who are not conducting BLET at the Samarcand Training Academy as of July 1, 2026.

This section became effective July 7, 2026.

Allow SBI to Assist State Auditor – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 20.13

Section 20.13 of S.L. 2026-41 (Senate Bill 257) authorizes the State Bureau of Investigation to assist the State Auditor when requested by the State Auditor. This section also changes a reference from the Department of Public Safety to the Department of Adult Correction to conform to statutory changes made in previous legislation.

This section became effective July 1, 2026.

State Capitol Police/Creation of Receipt-Supported Positions – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 21.1

Section 21.1 of S.L. 2026-41 (Senate Bill 257) does the following:

- Authorizes the State Capitol Police (SCP) to contract with State agencies for the creation of receipt-supported positions to provide security services to agency buildings.
- Requires the SCP to report to the Joint Legislative Oversight Committee on Justice and Public Safety no later than September 1 of each fiscal year (i) a list of all positions in the SCP including at least the position type, the agency to which the position is assigned, and the source of the funding for the position and (ii) all terms of the contract for each receipt-supported position.
- Requires the SCP to report within 30 days of the creation of any receipt-supported position to the Fiscal Research Division and the chairs of (i) the House of Representatives Appropriations Committee on Justice and Public Safety and (ii) the Senate Appropriations Committee on Justice and Public Safety. The report must include at least information on the position type, the agency to which the position is assigned, the position salary, the total amount of the contract, and the terms of the contract.

This section became effective July 1, 2026.

Use of Seized and Forfeited Property – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 21.2

Section 21.2 of S.L. 2026-41 (Senate Bill 257) credits seized and forfeited assets transferred to the State Highway Patrol (SHP) during the 2026-2027 fiscal year pursuant to federal law to the budget of the SHP for an increase of law enforcement resources for the SHP. However, the use of these assets for new personnel positions, new projects, acquisition of real property, repair of buildings where the repair includes structural change, and construction of or additions to buildings must first be approved by the General Assembly.

The SHP must make the following reports to the chairs of the House of Representatives Appropriations Committee on Justice and Public Safety and the Senate Appropriations Committee on Justice and Public Safety:

- A report upon receipt of any assets.
- A report that shall be made prior to use of the assets on their intended use and the departmental priorities on which the assets may be expended.
- A report on receipts, expenditures, encumbrances, and availability of these assets for the previous fiscal year, which must be made no later than September 1 of each year.

This section became effective July 1, 2026.

Modify Governor's Crime Commission to Add Commander of the State Highway Patrol – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 21.3

Section 21.3 of S.L. 2026-41 (Senate Bill 257) adds the Commander of the State Highway Patrol as a nonvoting member of the Governor's Crime Commission.

This section became effective July 7, 2026.

Technical Change to VIPER Reporting Requirement – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 21.4

Section 21.4 of S.L. 2026-41 (Senate Bill 257) requires that the State Highway Patrol report on the progress of the Voice Interoperability Plan for Emergency Responders (VIPER) system no later than March 1 and September 1 of each year to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety.

This section became effective July 1, 2026.

State Auditor/Performance Audit and Facilities Assessment for the Department of Adult Correction – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 24.2

Section 24.2 of S.L. 2026-41 (Senate Bill 257) directs the State Auditor to conduct a performance audit and comprehensive facilities assessment of the Department of Adult Correction, including review of financial operations; capacity; staffing; facility conditions; and options for future maintenance, consolidation, repurposing, and other uses of correctional facilities, with a report due to the Joint Legislative Oversight Committee on Justice and Public Safety and the Fiscal Research Division by June 30, 2027.

This section became effective July 1, 2026.

Repeal Redundant Vacant Positions Elimination Provision – 2026 Budget Technical Corrections.

SL 2026-42 (H56), Sec. 5.2

Section 5.2 of S.L. 2026-42 (House Bill 56) repeals section 17.12 of S.L. 2026-41 (Senate Bill 257). Section 17.12 of S.L. 2026-41 would have required the Department of Adult Correction (DAC) to eliminate positions from non-healthcare-related divisions of DAC that have been vacant for more than one year from July 1, 2026.

This section became effective July 1, 2026.

Waive Tuition for Survivors of Fallen Probation Officers – Support the Department of Adult Correction.

SL 2026-44 (S355), Sec. 1.1

Section 1.1 of S.L. 2026-44 (Senate Bill 355) requires constituent institutions of The University of North Carolina and community colleges to waive tuition for the following relatives of a probation officer who sustains a traumatic injury in the line of duty:

- Survivors, if the officer is killed as a direct result of the injury.
- Spouse, if the officer is permanently and totally disabled as a direct result of the injury.
- Children between the ages of 17 and 24, if the officer is permanently and totally disabled as a direct result of the injury. Each child's eligibility is limited to (i) 54 months for a baccalaureate degree or (ii) the number of months required to complete the educational program.

This section became effective July 7, 2026, and applies to waivers of tuition granted on or after that date.

Modify Technical Requirements for Electronic Monitoring/Satellite-Based Monitoring – Support the Department of Adult Correction.

SL 2026-44 (S355), Sec. 1.2

Section 1.2 of S.L. 2026-44 (Senate Bill 355) modifies technical requirements for electronic monitoring and satellite-based monitoring by amending the definition of electronic monitoring to no longer require that the device has a battery life of at least 48 hours.

This section became effective July 7, 2026, and applies to an electronic monitoring device used on or after that date.

Modification of Post-Release Supervision Requirements – Support the Dept. of Adult Correction.

SL 2026-44 (S355), Sec. 1.3

Section 1.3 of S.L. 2026-44 (Senate Bill 355) modifies the authority of the Post-Release Supervision and Parole Commission to authorize a single member of the Commission to set and modify terms and conditions of post-release supervision, authorize the issuance of a letter of reprimand, and continue an offender's supervision.

This section became effective July 7, 2026, and applies to actions taken by the Commission on or after that date.

Sexually Violent Predator Determinations – Support the Department of Adult Correction.

SL 2026-44 (S355), Sec. 2.1

Section 2.1 of S.L. 2026-44 (Senate Bill 355) modifies a qualification for one of the two experts in the field of behavior and treatment of sexual offenders who serve on the board of experts that study whether a defendant is a sexually violent predator. This section provides that these experts cannot be employed full-time by the Division of Prisons of the Department of Adult Correction but can be employed part-time by the Division of Prisons of the Department of Adult Correction.

This section becomes effective December 1, 2026, and applies to boards of experts selected on or after that date.

Increase Limit on Purchases from Correction Enterprises – Support the Department of Adult Correction.

SL 2026-44 (S355), Sec. 2.2

Section 2.2 of S.L. 2026-44 (Senate Bill 355) increases the amount a government employee or retiree from the State of North Carolina can purchase from The Division of Correction Enterprises of the Department of Adult Correction from $2,500 to $4,000 per calendar year.

This section became effective July 7, 2026.

Authorize Substance Abuse Assessments and ADETS by DAC – Support the Dept. of Adult Correction.

SL 2026-44 (S355), Sec. 2.3

Section 2.3 of S.L. 2026-44 (Senate Bill 355) authorizes the Department of Adult Correction (DAC) to conduct substance abuse assessments and provide alcohol and drugs education traffic school (ADETS) to DAC inmates.

This section became effective July 7, 2026.

Vested Probation and Parole Officers Maintain Eligibility for Supplemental Retirement When Serving in Certain Roles – Support the Department of Adult Correction.

SL 2026-44 (S355), Sec. 3.1

Section 3.1 of S.L. 2026-44 (Senate Bill 355) expands the definition of a "Probation/Parole Officer" to include "a full-time paid employee of the Department of Adult Correction's Office of Staff Development and Training who is certified as a Probation/Parole Officer and works exclusively in

a training role." This expansion allows these individuals to earn credit toward the State law enforcement special separation allowance for this service.

This section became law July 7, 2026, and applies to determinations under the Retirement System for Teachers and State Employees Article of the General Statutes made on or after that date.

Reduce Meeting Requirement of State Reentry Council Collaborative – Support the Department of Adult Correction.

SL 2026-44 (S355), Sec. 4.1

Section 4.1 of S.L. 2026-44 (Senate Bill 355) reduces the required number of meetings of the State Reentry Council Collaborative from quarterly to annually.

This section became effective July 7, 2026.

Post-Release Supervision Eligibility and Procedure – Support the Dept. of Adult Correction.

SL 2026-44 (S355), Sec. 5.1

Section 5.1 of S.L. 2026-44 (Senate Bill 355) requires the superior court in the county where the conviction occurred, rather than the Post-Release Supervision and Parole Commission, to determine when a sex offender required to submit to satellite-based monitoring as a condition of post-release supervision may be released from that requirement.

This section became effective July 7, 2026, and applies to satellite-based monitoring releases ordered on or after that date.

Exclude DAC Investigations from Certain Information Technology Restrictions – Support the Dept. of Adult Correction.

SL 2026-44 (S355), Sec. 5.2

Section 5.2 of S.L. 2026-44 (Senate Bill 355) adds an exemption from the prohibition against viewing pornography on a network or device of a public agency for public officials and employees investigating matters involving (i) offenders incarcerated with the Department of Adult Correction (DAC) or (ii) the misuse of devices owned by DAC.

This section became effective July 7, 2026, and applies to investigations occurring before, on, or after that date.

Clarify Probation and Parole Records Access for Cherokee and Catawba Marshals Services – Support the Dept. of Adult Correction.

SL 2026-44 (S355), Sec. 5.3

Section 5.3 of S.L. 2026-44 (Senate Bill 355) makes a technical correction to G.S. 1E-20, Cherokee and Catawba Marshals Services, to accurately reflect that the Department of Adult Correction holds those records.

This section became effective July 7, 2026.

De Novo Review of Agency Rules. – Regulatory Reform Act of 2026.

SL 2026-59 (S445), Sec. 1

Section 1 of S.L. 2026-59 (Senate Bill 445) codifies the North Carolina Supreme Court's holding in Mitchell v. Univ. of N. Carolina Bd. of Governors, 388 N.C. 341 (2025), that courts interpreting State administrative rules must freely substitute their judgment for that of the agency and employ de novo review. This section also explicitly applies that holding to administrative law judges in the contested case process under the Administrative Procedure Act.

This section became effective August 11, 2026.

Prohibit Telephone Solicitors from Misrepresenting Call Origins. – Regulatory Reform Act of 2026.

SL 2026-59 (S445), Sec. 20

Section 20 of S.L. 2026-59 (Senate Bill 445) expands the prohibition on telephone solicitors transmitting misleading information to anyone using caller ID to provide that telephone solicitors cannot use any alteration to the origin of the telephone solicitation that displays on caller ID to give the perception that the call originated from any other telephone number than that of the telephone solicitor.

Further, this section prohibits telephone carriers from knowingly or intentionally transmitting, selling, or otherwise providing the numbers of telephone subscribers to any entity the telephone carrier knows will violate the restrictions on telephone solicitation, has previously used telephone subscriber information to violate the restrictions on telephone solicitation, or has provided information to another entity that has violated the restrictions on telephone solicitation. A telephone subscriber who receives a telephone solicitation in violation of the expanded prohibition enacted by this section is entitled to bring a civil action to recover $10,000 for each violation.

This section becomes effective December 1, 2026, and applies to phone calls placed on or after that date.

Collaboratory Report on Recovery Court Study Results – 2026 Budget Technical Corrections - II.

SL 2026-61 (H268), Sec. 3.19

Section 3.19 of S.L. 2026-61 (House Bill 268) directs the North Carolina Collaboratory to expand its study of judicially managed accountability and recovery courts (JMARCs) from the 2023 Appropriations Act, Section 8.11 of S.L. 2023-134. Phase I of the study includes programmatic aspects of JMARCs. Under Phase II of the study, the Collaboratory will evaluate processes and intended outcomes for each type of JMARC, including adult drug treatment, impaired driving, family treatment, adult mental health, veterans, and juvenile drug treatment. Phase II will include comparisons of outcomes between JMARC participants and appropriate comparison groups, as well as a cost-benefit evaluation of the different types of JMARCs. JMARCs are authorized to share participant information with the Collaboratory and the University of North Carolina at Wilmington for purposes of this study, but information or data about individual JMARC participants is confidential and not a public record.

The Collaboratory must report on the results of Phase II of the study to various legislative committees no later than March 15, 2028. The report must include at least the following:

- Executive summary of the study and its findings.
- Evaluation of processes and intended outcomes for the different types of JMARCs.
- Deidentified and aggregated results of the comparisons of outcomes between JMARC participants and appropriate comparison groups for the different types of JMARCs.
- A cost-benefit evaluation of the different types of JMARCs.

This section is effective retroactively to October 3, 2023.

Increase Number of Exempt Positions Under the State Human Resources Act at the State Bureau of Investigation – 2026 Budget Technical Corrections - II.

SL 2026-61 (H268), Sec. 6.9

Section 6.9 of S.L. 2026-61 (House Bill 268) increases the number of State Bureau of Investigation positions exempted from the State Human Resources Act from 10 to 15.

This section became effective July 1, 2026.

Exempt State Bureau of Investigation from Certain Procurement, Contract, and Public Contract Requirements – 2026 Budget Technical Corrections - II.

SL 2026-61 (H268), Sec. 6.11

Section 6.11 of S.L. 2026-61 (House Bill 268) exempts the State Bureau of Investigation (SBI) from certain procurement, contract, and public contract requirements on matters of purchasing,

contract, acquisition, and maintenance of real property and leasing of office space. However, any acquisition of real property made by the SBI pursuant to this section is subject to approval by the Council of State.

This section became effective July 1, 2026.

Amend Adoption Law to Facilitate E-Filing – 2026 Court Changes.

Ratified (H377), Sec. 1

Section 1 of House Bill 377 would have modified certain laws relating to adoption to facilitate the electronic filing of adoptions with courts and electronic transmission of adoption records to the Division of Social Services for indexing.

House Bill 377 was ratified by the General Assembly on August 6, 2026, and vetoed by the Governor on August 17, 2026.

Clarify How a Renter-Defendant Appellant Maintains a Stay of Execution of Judgment – 2026 Court Changes.

Ratified (H377), Sec. 2

Section 2 of House Bill 377 would have clarified how a defendant renter maintains a stay of execution pending appeal. If the defendant continued to pay periodic rent, that payment would have satisfied and maintained the stay of execution during the 30-day time period for taking an appeal.

House Bill 377 was ratified by the General Assembly on August 6, 2026, and vetoed by the Governor on August 17, 2026.

Modify Certain Bond Requirements. – 2026 Court Changes.

Ratified (H377), Sec. 3

Section 3 of House Bill 377 would have removed the requirement that the form of a first mortgage or deed of trust securing a bond in a decedent's estate be approved by the administrative officer of the courts. It also would have updated a statutory reference related to a guardian's bond.

House Bill 377 was ratified by the General Assembly on August 6, 2026, and vetoed by the Governor on August 17, 2026.

Amend Default Judgment Provision in Divorce Proceedings – 2026 Court Changes.

Ratified (H377), Sec. 5

Section 5 of House Bill 377 would have clarified that the clerk of superior court can enter judgment, upon request of a plaintiff, in cases where a plaintiff's only claim against the defendant is for absolute divorce, or absolute divorce and resumption of a former name, when the defendant failed to appear.

House Bill 377 was ratified by the General Assembly on August 6, 2026, and vetoed by the Governor on August 17, 2026.

Repeal Obsolete Provision – 2026 Court Changes.

Ratified (H377), Sec. 6

Section 6 of House Bill 377 would have repealed an obsolete provision regarding electronic filing in certain court cases.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but was vetoed by the Governor on August 17th, 2026, and is not current law. If the General Assembly overrides the veto, Section 6 of House Bill 377 would become effective when it becomes law.

Clarify ASL Interpreter Payments – 2026 Court Changes.

Ratified (H377), Sec. 7

Section 7 of House Bill 377 would have modified the statute that governs the payment of translators for deaf individuals to provide that when the relevant proceeding is in the General Courts of Justice, the fee is set by the director of the Administrative Office of the Courts.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but was vetoed by the Governor on August 17th, 2026, and is not current law. If the General Assembly overrides the veto, Section 7 of House Bill 377 would become effective October 1, 2026.

Clarify Certain Filings – 2026 Court Changes.

Ratified (H377), Sec. 8

Section 8 of House Bill 377 would have made a clarifying change regarding the filing of documents with the courts.

House Bill 377 was ratified by the General Assembly on August 6, 2026, and vetoed by the Governor on August 17, 2026.

Allow Office of Indigent Defense Services Attorneys Electronic Access to Files – 2026 Court Changes.

Ratified (H377), Sec. 9

Section 9 of House Bill 377 would have modified G.S. 7A-452 which provides that when an indigent person has entered notice of appeal and appellate counsel has been appointed by the Office of Indigent Defense Services (IDS), the clerk of superior court is required to make a copy of the complete trial division file for the IDS counsel. This law would have been modified to clarify that clerks may electronically provide this file access to IDS counsel.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but was vetoed by the Governor on August 17, 2026, and is not current law. If the General Assembly overrides the veto, Section 9 of House Bill 377 would become effective October 1, 2026.

Modify Safekeeping Statute Related to Wills. – 2026 Court Changes.

Ratified (H377), Sec. 10

Section 10 of House Bill 377 would have modified the statute governing the safekeeping of wills by the clerk of superior court. It would have allowed the clerk of superior court to receive a will for safekeeping from a testator's agent if the agent had authority under a valid power of attorney. It also would have required the will to remain in the clerk's receptacle or depository until the will was offered for probate or filed with the clerk without probate.

House Bill 377 was ratified on August 6, 2026, but was vetoed by the Governor on August 17, 2026.

Update Safe Babies Court Language to Allow Children Up to Age 5 to Participate. – 2026 Court Changes.

Ratified (H377), Sec. 13

Section 13 of House Bill 377 would have increased eligibility to participate in Safe Babies Court to include families who have at least one child who is no more than 5 years of age.

House Bill 377 was ratified by the General Assembly on August 6, 2026, and was vetoed by the Governor on August 17, 2026.

Clarify Jury Commission Appointments – 2026 Court Changes.

Ratified (H377), Sec. 14

Section 14 of House Bill 377 would have modified the county jury commission statutes to (i) clarify that if an appointing authority does not make an appointment to the jury commission by September 1, the incumbent on the jury commission would serve for an additional two-year term, (ii) require jury commissions to prepare the master list of prospective jurors no later

November 15, and (iii) require the Commissioner of Motor vehicles to provide the list of licensed drivers to each county jury commission no later than September 1.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but was vetoed by the Governor on August 17th, 2026, and is not current law. If the General Assembly overrides the veto, Section 14 of House Bill 377 would become effective when it becomes law.

Clarify the Application of Limitations on Compensation for Services Related to Veterans' Benefits Matters – 2026 Court Changes.

Ratified (H377), Sec. 14.1

Section 14.1 of House Bill 377 would have excluded agents, attorneys, or other representatives accredited and regulated by the United States Department of Veterans Affairs or the North Carolina Department of Military and Veterans Affairs from State law requirements regarding compensation for services related to veterans' benefits matters.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but was vetoed by the Governor and is not current law. If the General Assembly overrides the veto, this section would be effective when it becomes law.

Make Certain Changes Related to Juvenile Court Records. – 2026 Court Changes.

Ratified (H377), Sec. 15

Section 15 of House Bill 377 would have done the following:

- Clarified that in an abuse, neglect, or dependency action:
    - A presiding district court judge and designated court staff can inspect confidential juvenile court records.
    - The recording of a hearing in the action can only be copied by order of the court.
    - A person not authorized to examine the juvenile's court record without a court order could file a written motion setting out why the information is needed. A district court judge would have been authorized to issue an order to disclose the information upon finding that the order is appropriate under the circumstances and in the best interest of the juvenile or necessary for the protection of the public.
- Clarified that in a proceeding for emancipation:
    - Court records in the action are confidential, except the certificate of emancipation.
    - A party, required participants, or their attorneys can access written records in the file without a court order.

House Bill 377 was ratified by the General Assembly on August 6, 2026, and was vetoed by the Governor on August 17, 2026.

Change Effective Date for Judicial Access to Expunction Records – 2026 Court Changes.

Ratified (H377), Sec. 17

Section 17 of House Bill 377 would have clarified that a judge can request access to confidential expungement records maintained by the Administrative Office of the Courts to determine whether a defendant has been previously granted a discharge or an expungement regardless of when the expungement petition was filed.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but was vetoed by the Governor on August 17, 2026, and is not current law. If the General Assembly overrides the veto, Section 17 of House Bill 377 would become effective when it becomes law.

Change "Executive Secretary" to "Executive Director" in Conference Statute – 2026 Court Changes.

Ratified (H377), Sec. 18

Section 18 of House Bill 377 would have changed the title of "executive secretary" to "executive director" in the laws governing the Conference of Clerks of Superior Court.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but was vetoed by the Governor on August 17th, 2026, and is not current law. If the General Assembly overrides the veto, Section 18 of House Bill 377 would become effective when it becomes law.

Clarify Appeal Filing Language – 2026 Court Changes.

Ratified (H377), Sec. 19

Section 19 of House Bill 377 would allow for electronic filing, in addition to mail or hand delivery, of an appeal as of right to the Court of Appeals from a decision by a Statewide panel on a candidate challenge for elective office.

House Bill 377 was ratified by the General Assembly on August 6, 2026, and vetoed by the Governor. House Bill 377 is not current law. If the General Assembly overrides the veto, Section 19 of House Bill 377 would become effective on October 1, 2026.

Modify Laws Related to Frivolous Lawsuits – 2026 Court Changes.

Ratified (H377), Sec. 20

Section 20 of House Bill 377 would have provided that whenever a motion to proceed as an indigent is filed pro se by an inmate in the custody of the Department of Adult Correction or any sheriff in North Carolina, or whenever a motion to proceed as an indigent is filed pro se by any person or entity and the complaint is brought against a federal, State, or local government entity, or government employee in their official capacity, or government employee in their individual

capacity but based on the employee's work for the government, the motion to proceed as an indigent and the complaint must be presented to any superior court judge of the judicial district. The court would have been required to dismiss the action if it was frivolous or malicious, failed to state a claim on which relief could be granted, or sought relief against a defendant who was immune from such relief. The proceeding would have been automatically stayed until the judge ruled on the motion to proceed as indigent. This section would also have allowed the clerk to reject certain filings unless the filing was accompanied by any necessary fees or a motion to proceed as indigent.

House Bill 377 was ratified by the General Assembly on August 6, 2026, and vetoed by the Governor on August 17, 2026.

Modify Rotation of Superior Court Judges – 2026 Court Changes.

Ratified (H377), Sec. 21

Section 21 of House Bill 377 would have modified the statute governing the rotation and assignment of superior court judges to create a new assignment rule for the Chief Justice of the Supreme Court.

In assigning superior court judges for a district consisting of at least one county with a population over 1,000,000 people, the Chief Justice would have been required to include superior court judges from (i) other districts in that same judicial division and (ii) districts from any judicial division adjacent to the division with the district consisting of at least one county with a population over 1,000,000.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but vetoed by the Governor on August 17, 2026, and is not current law. If the General Assembly overrides the veto, Section 21 of House Bill 377 would become effective January 1, 2027, and apply to rotations on or after that date.

Administrative Office of the Courts and Office of Indigent Defense Services Reports and Recommendations – 2026 Court Changes.

Ratified (H377), Sec. 26

Section 26 of House Bill 377 would have required that the Administrative Office of the Courts and Office of Indigent Defense Services submit certain reports.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but was vetoed by the Governor on August 17th, 2026, and is not current law. If the General Assembly overrides the veto, Section 26 of House Bill 377 would become effective when it becomes law.

Amend Procedure for Determining Elective Share. – 2026 Court Changes.

Ratified (H377), Sec. 27.1

Section 27.1 of House Bill 377 would have amended the procedure for determining the elective share to provide that the summons and claims in the petition must relate back to the date of the filing of the petition. It would have specified that the requirement that a summons be issued within five days of the filing of the petition under Rule 4(a) of the Rules of Civil Procedure does not apply. This section also would have made other technical and organizational changes.

House Bill 377 was ratified on August 6, 2026, but was vetoed by the Governor on August 17, 2026.

Allow Suspension of Trial Court Judges Pending Investigation – 2026 Court Changes.

Ratified (H377), Sec. 28

Section 28 of House Bill 377 would have modified laws regarding the Judicial Standards Commission to allow suspension of trial judges pending investigations into misconduct. A new definition of a "trial judge" would have been created and would include "any judge who is serving in the Superior Court Division or District Court Division of the General Court of Justice of North Carolina, including any retired justice or judge who is recalled for service as an emergency judge of the Superior Court Division or District Court Division of the General Court of Justice." A new procedure would then have been created that would allow a trial judge to be suspended if during the pendency of an investigation the Judicial Standards Commission found that immediate and irreparable injury, loss, or damage would result by the trial judge remaining in office.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but was vetoed by the Governor on August 17th, 2026, and is not current law. If the General Assembly overrides the veto, Section 28 of House Bill 377 would become effective when it becomes law.

Add Trial Court Administrator and Staff to Definition of Court Officer – 2026 Court Changes.

Ratified (H377), Sec. 29

Section 29 of House Bill 377 would have added trial court administrators and judicial support staff to the definition of "court officer." This would have made Article 5A of Chapter 14 of the General Statutes (Endangering Executive, Legislative, Court, and Local Elected Officers) apply to these individuals. Article 5A provides for increased punishments for assaulting or threatening covered individuals.

House Bill 377 was ratified by the General Assembly on August 6, 2026, but was vetoed by the Governor on August 17th, 2026 and is not current law. If the General Assembly overrides the veto, House Bill 377 would become effective December 1, 2026, and apply to offenses committed on or after that date.