Criminal Law and Procedure

See full summary documents for additional detail

Reduce Penalty for Certain Shellfish Aquaculture Violations. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 15

Section 15 of S.L. 2026-11 (Senate Bill 401) reduces the penalties for certain acts related to shellfish aquaculture operations, from Class A1 misdemeanors to the following penalties:

- A violation for an improperly marked shellfish lease area, a first offense would be a warning ticket, a second offense within a month would be an infraction, and a third offense within a month of the warning ticket would be a Class 3 misdemeanor.
- A violation for operating under an expired aquaculture operation permit that occurs within one month of the expiration of the permit would be a warning ticket.
- A violation for operating under an expired shellfish lease agreement that occurs within one month of the expiration of the agreement would be a warning ticket.

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

Increase Penalty for a Second or Subsequent Offense for Larceny of Crops and for Robbing or Injuring Aquaculture Operations. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 16

Section 16 of S.L. 2026-11 (Senate Bill 401) increases the penalty for the theft of ungathered crops or the theft or injury of aquaculture resources as follows:

- Adds a fine of $250 for a first offense and $500 for a second or subsequent offense.
- From a Class H felony to a Class G felony for a second or subsequent offense.

A first offense for either crime would still be punishable by a Class H felony, in addition to the new $250 fine.

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

Waiver of Local Government Immunity – North Carolina Border Protection Act.

SL 2026-19 (S153), Part V

Part V of S.L. 2026-19 (Senate Bill 153) waives governmental immunity from tort liability for local governments that adopt sanctuary ordinances when an unauthorized alien commits a crime against a person or property within its corporate limits, regardless of whether the local government has purchased liability insurance.

This bill 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.

UNC Constituent Institutions to Comply with Laws Related to Immigration – North Carolina Border Protection Act.

SL 2026-19 (S153), Part VI

Part VI of S.L. 2026-19 (Senate Bill 153) prohibits constituent institutions of The University of North Carolina from having policies or regulations that limit the enforcement of federal immigration laws to less than the full extent permitted by federal law. Constituent institutions cannot (i) prevent law enforcement officials or agencies from gathering information on an individual's immigration status or (ii) prevent the communication of that information to federal law enforcement agencies.

Senate Bill 153 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.

Dissemination to Minors of Obscenity and Material Harmful to Minors – Revise Laws on Minors/Human Trafficking.

SL 2026-34 (H83), Sec. 1

Section 1 of S.L. 2026-34 (House Bill 83) does the following:

- Amends the statute governing dissemination of obscene material to minors under the age of 16 years to provide that disseminating obscenity to a minor of any age is a Class H felony if the offender is at least 4 years older than the minor, and requires the sentencing court to consider whether the person is a danger to the community and whether that person should be required to register as a sex offender.
- Amends the statute governing dissemination of obscene material to minors under the age of 13 years to require the sentencing court to consider whether the person is a danger to the community and whether that person should be required to register as a sex offender.

- Amends the statute governing dissemination of harmful material to minors and exhibiting harmful performances to minors to require the sentencing court to consider whether the person is a danger to the community and whether that person should be required to register as a sex offender.
- Amends the definition of "reportable conviction" to include convictions for violations of G.S. 14-190.7 (Dissemination to minors), 14-190.8 (Dissemination to minors under the age of 13 years), and 14-190.15 (Disseminating harmful material to minors; exhibiting harmful performances to minors) if the sentencing court orders the person to register as a sex offender.
- Provides that offenses committed prior to December 1, 2026, would not be affected by this section.

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

Study on Human Trafficking Reporting – Revise Laws on Minors/Human Trafficking.

SL 2026-34 (H83), Sec. 2

Section 2 of S.L. 2026-34 (House Bill 83) requires the North Carolina Human Trafficking Commission (Commission) to conduct a study on human trafficking needs in the State, including information on the development process for a statewide human trafficking reporting and response system (system). This section states that the Commission is encouraged to begin facilitating stakeholder collaboration on developing a system after completing the required study. This section states that it is the intent of the General Assembly to establish a system that will (i) notify law enforcement and child protection officials of high priority reports, (ii) provide a secure dashboard for authorized personnel to view, triage, and respond to reports, and (iii) support real-time communication between investigators and survivors or reporters with consent.

This section became effective July 2, 2026.

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.

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.

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.

No Financial Assistance for UNC Students Convicted of Assaulting Officers or Employees of the State – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 8.17

Section 8.17 of S.L. 2026-41 (Senate Bill 257) eliminates certain financial benefits for students at institutions of higher education in the State who are convicted of assaulting an officer or employee of the State or an officer or employee of any political subdivision of the State while enrolled as a student.

The Board of Governors of The University of North Carolina (BOG) must adopt a policy prohibiting The University of North Carolina and its constituent institutions from providing State funded scholarships or grants to any student who is convicted of assaulting an officer or employee of the State or an officer or employee of any political subdivision of the State while enrolled as a student. The prohibition must begin with the semester or academic term following a conviction.

The State Education Assistance Authority must adopt a rule prohibiting any student who is convicted of assaulting an officer or employee of the State or an officer or employee of any political subdivision of the State while enrolled as a student from receiving a State-funded scholarship or grant. The prohibition must begin with the semester or academic term following a conviction.

Additionally, a student who is convicted of assaulting an officer or employee of the State or an officer or employee of any political subdivision of the State while enrolled as a student is disqualified from receiving the in-State tuition rate at any institution of higher education in the State, beginning with the semester or academic term following the conviction.

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

Prohibit Sex Offenders from Seasonal Child Care Camps – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 16.14

Section 16.14 of S.L. 2026-41 (Senate Bill 257) prohibits certain individuals required to register on the sex offender registry from being at seasonal child care camps when operating as a seasonal child care camp.

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

Electronic Surveillance for Human Trafficking and Money Laundering – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 19.2

Section 19.2 of S.L. 2026-41 (Senate Bill 257) adds the following to the offenses for which an order for electronic surveillance can be granted:

- Money laundering, when the interception may provide evidence of the commission of the offense or conspiracy to commit the offense.
- Felony human trafficking involving adults, when the interception may provide or has provided evidence of the offense or conspiracy to commit the offense.

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

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.

Tribal Sports Wagering Technical Correction – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 39.6

Section 39.6 of S.L. 2026-41 (Senate Bill 257) modifies the definition of sports wagering in the statute governing Class III gaming on tribal lands to be consistent with the definition of sports wagering in the North Carolina State Lottery Act.

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

License Plate Readers – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 43.26

Section 43.26 of S.L. 2026-41 (Senate Bill 257) codifies an authorization for the Department of Transportation (DOT) to enter into agreements with the North Carolina State Bureau of Investigation (SBI) to place automatic license plate readers (ALPR) within land or rights-of-way owned by the DOT, provided all of the listed conditions are met.

The SBI may enter into agreements on its own behalf or as an administrative agent of a federal, State, or local law enforcement agency.

No later than March 1 of each year, the SBI shall submit a report to the Joint Legislative Oversight Committee on Justice and Public Safety containing the listed information with respect to each law enforcement agency that places an ALPR system on land or rights-of-way owned by the DOT.

This section became effective July 7, 2026.

Vapor Product and Consumable Product Licensing and Registry Changes – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 44.6

Part IX of S.L. 2026-31 (Senate Bill 595), Section 44.6 of S.L. 2026-41 (Senate Bill 257), and Section 12.2 of S.L. 2026-61 (House Bill 268) collectively make several changes related to the registration, sale, and taxation of vapor products and consumable products, create new requirements for distributors and retailers of these products, and modify the enforcement of and penalties applicable to this industry. Specifically, these sections do the following as it relates to vapor products and consumable products:

- Make the following changes with respect to the registry, which is maintained by the Department of Revenue (Department) and requires every manufacturer of vapor products and consumable products to certify that its products are eligible to be sold at retail in this State:
    - Expand the universe of permissible vapor and consumable products that may appear on the registry, effective July 1, 2026. This expansion is accomplished through two main changes. First, the provision repeals the defined term "timely filed premarket tobacco product application," which previously limited permissible products to those for which an order was granted or a Premarket Tobacco Product Application was accepted for filing prior to September 9, 2020. At least four marketing authorizations have been issued since 2025, including the first authorization for flavored vapor products, so this change would allow the sale of products that received marketing authorizations by the Food and Drug Administration (FDA) within the last year. Second, the provision adds language to allow the registration of products that are commercially marketed and not subject to federal enforcement priority under a published FDA enforcement policy as long as the product is the subject of a filed and pending premarket application.
    - Require manufacturers to submit documentation to the Department certifying compliance with any changes to federal requirements for vapor and consumable products within 30 days of the date mandated for compliance with the federal requirements. Failure to submit is grounds for removal from directory. The requirement to submit documentation to the Department became effective July 7, 2026. This provision was further clarified in Section 12.2(b) of S.L. 2026-61, which became effective August 11, 2026. The consequence of removal from the directory for failure to substantiate is effective October 1, 2026.

- Require the Department to make minor changes to the directory, such as including stock keeping unit numbers (SKUs) for products and publishing updates on the first day of every month. This provision is effective October 1, 2026.

- Make the following changes with respect to civil penalties, criminal offenses, and age verification requirements:
  - Effective October 1, 2026, accelerate civil penalties for violations of registry requirements as follows:
    - For first offenses, a penalty range of $500 to $750, a mandatory reinspection within 30 days, and a 30-day license suspension along with seizure, forfeiture, and destruction of property.
    - For second and subsequent offenses, a penalty range of $1,000 to $1,500 and license revocation.
  - Effective October 1, 2026, it is a Class 2 misdemeanor to sell or distribute consumable products containing nicotine analogues to persons under 18. Effective December 1, 2027, it is a Class 1 misdemeanor to allow entry of a person under the age of 21 in a specialty retailer of vapor products establishment.
  - Effective October 1, 2026, internet sales of products containing nicotine analogues require age verification. Effective December 1, 2027, specialty retailers of vapor products are required to verify age for entry into their establishments using a third-party age verification service that electronically scans identification.
- Make the following changes with respect to compliance and enforcement:
  - Shift compliance and enforcement provisions from the Department to a collective of various State and local law enforcement officials, and establish an interagency task force led by the State Bureau of Investigation (SBI), with the other agencies being the Department, the Department of Agriculture, the Secretary of State, the Alcohol Law Enforcement Division of the Department of Public Safety, the Department of Justice, and representatives of local law enforcement agencies. This provision became effective July 7, 2026.
  - Require at least one unannounced compliance check per year and follow-up checks within 30 days of a violation. This provision became effective July 7, 2026.
  - Require the applicable law enforcement entity to report violations to the Department for the purpose of maintaining a database of violations and imposing civil penalties. This provision became effective July 7, 2026.
- Make the following changes as it relates to the taxation, sale, and retailer licensure of these products:
  - Add a definition of "nicotine analogue" to the excise tax statutes, effective October 1, 2026. A nicotine analogue is a chemical compound similar in structure and effect to nicotine but is a distinct substance that is neither naturally occurring nicotine nor synthetic nicotine. The addition of this definition, which also impacts the definitions of "vapor product" and "consumable product," has at least two downstream substantive effects. First, it expands the excise tax base on tobacco products to include consumable products containing a nicotine analogue. Second, it effectively bans the retail sale of vapor and consumable products containing nicotine analogues. To be sold legally, vapor and consumable products must appear on the registry of approved products, which requires FDA approval or

pending FDA action. Since the FDA does not regulate nicotine analogues, products containing nicotine analogues cannot appear on the registry and, therefore, may not be legally sold. These changes are also effective October 1, 2026.

- Create a new category of retail dealer for vapor products classified as a "specialty retailer of vapor products" that must register with the Department and pay a $1,000 per location license tax in addition to other applicable license requirements. These are dealers that primarily sell vapor products based on a certain percentage of their inventory, or floor and shelf space, consisting of vapor products or having the name of the store tied to vapor products. Under prior law, only dealers selling or storing non-tax-paid products or online sellers required to collect sales tax were required to be licensed. The addition of the term "specialty retailer of vapor products" is effective October 1, 2026, but the licensing requirement is not effective until July 1, 2027.

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.

Victim Compensation Changes – Department of Public Safety/Other Changes.

SL 2026-53 (H206), Sec. 5

Section 5 of S.L. 2026-53 (House Bill 206) modifies various laws related to the payment of expenses as authorized by the North Carolina Crime Victims Compensation Act as follows:

- Increases the compensation amounts related to a dependent's economic loss, household support loss, and work loss.
- Specifies how sums remaining in the crime victims fund to promote the mission of the commission may be used.
- Expands the eligibility to receive an award related to economic loss.

This section became effective July 7, 2026.

Authorize Tribal Police Chiefs to Enter Into Mutual Aid Agreements With Other Law Enforcement Agencies – Department of Public Safety/Other Changes.

SL 2026-53 (H206), Sec. 7

Section 7 of S.L. 2026-53 (House Bill 206) modifies the statute governing cooperation between law enforcement agencies to allow tribal police chiefs to enter into mutual aid agreements with other law enforcement agencies.

This section became effective July 7, 2026.

Increase Civil Penalty for Water Theft. – Regulatory Reform Act of 2026.

SL 2026-59 (S445), Sec. 18

Section 18 of S.L. 2026-59 (Senate Bill 445) amends a statute that prohibits any person from willfully making any connection with, interfering with, or turning on or off the gas mains, water pipes, services pipes, or wires of another without the person's written permission, to do both of the following:

- Add a definition for "water pipes" to include "fire hydrants, flushing assemblies, blow-offs, sampling stations, and all other appurtenances connected to a water distribution system, whether above or below ground."
- For any person who is found in a civil action to have unlawfully made connection or reconnection with any water pipe, increase the cap on liability to the water supplier to triple the amount of losses and damages or $10,000, whichever is greater, plus attorneys' fees (from triple the amount of losses and damages or $5,000, whichever is greater).

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

Increase Fines for Intentional or Reckless Littering. – Regulatory Reform Act of 2026.

SL 2026-59 (S445), Sec. 19

Section 19 of S.L. 2026-59 (Senate Bill 445) increases the fines for intentional or reckless littering to the following:

Litter Amount/Purpose	New First Violation Fine	New Subsequent Violation Fine
Less than 10 Pounds	$1,000–$3,000	$3,000–$5,000
10–500 Pounds	$5,000–$10,000	N/A
More than 500 Pounds or for Commercial Purpose	$10,000-$15,000	N/A

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

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.

Third-party Criminal History Record Check Vendors for Certain Local Government Checks. – Regulatory Reform Act of 2026.

SL 2026-59 (S445), Sec. 21

Section 21 of S.L. 2026-59 (Senate Bill 445) authorizes local governments to contract with third-party vendors to conduct criminal history record checks required for applicants offered any position that involves working with children. Any contract entered pursuant to this authority ends on or before December 1, 2026, or when the State Bureau of Investigation (SBI) request for proposal to provide the criminal history check is awarded, whichever occurs later. Third-party vendors are required to comply with any restrictions or requirements set by law governing fingerprints and other information collected by the SBI for a criminal record check.

This section of the act became effective August 11, 2026.

Add Approved Firearm Safety and Training Course. – Regulatory Reform Act of 2026.

SL 2026-59 (S445), Sec. 23

Section 23 of S.L. 2026-59 (Senate Bill 445) adds the North Carolina Concealed Carry Association (NCCCA) and U.S. LawShield to the list of organizations that can certify or sponsor firearms safety and training courses, and adds NCCCA-certified instructors and U.S. LawShield–certified instructors to the list of instructors permitted for firearms safety and training courses offered by law enforcement agencies, colleges, private or public institutions or organizations, or firearms training schools.

This section became effective July 1, 2026, and applies to permit applications submitted on or after that date.

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.

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.

Drug-Free Homeless Service Zones – Drug-Free Zones/Unauthorized Public Camping.

Ratified (H437), Sec. 1

Section 1 of House Bill 437 would have created a Class E felony for anyone who manufactures, sells, or delivers a controlled substance in a drug-free homeless service zone if the person knows or reasonably should know it is a drug-free homeless service zone and a Class H felony for any operator of a facility-based service that intentionally allows a person to manufacture, sell, or deliver a controlled substance in a drug-free homeless service zone.

House Bill 437 was ratified on July 1, 2026, but was vetoed by the Governor and is not current law. If the General Assembly overrides the veto, Section 1 of House Bill 437 would become effective on December 1, 2026, and apply to offenses committed on or after that date.

Unauthorized Public Camping – Drug-Free Zones/Unauthorized Public Camping.

Ratified (H437), Sec. 2

Section 2 of House Bill 437 would have done the following:

- Defined "public camping or sleeping."
- Prohibited a local government from authorizing or otherwise allowing any person to regularly engage in public camping or sleeping on any public property.
- Permitted, by majority vote of the local government's governing board, the designation of property owned by the local government to be used for a continuous period of no longer than one year for the purposes of public camping or sleeping. The local government would have been required to establish and maintain minimum standards and procedures for the purposes of:
    - Ensuring the safety and security of the designated property and the people lodging or residing on the property.
    - Maintaining sanitation.
    - Coordinating with the appropriate department, agency, or entity to provide access to behavioral health services, which must include substance abuse and mental health treatment resources.
    - Prohibiting illegal substance use and alcohol use.
- Provided that the local government's designation of property for camping or sleeping would not have become effective until certified by the Department of Labor (Department). To obtain certification, the local government would have been required to submit a request to the Commissioner of Labor documenting proof of certain conditions.
- Required the Department to certify the designated property within 45 days after the receipt of complete submission from the local government. If the Department took no action, the designated property would have been deemed certified on the 45th day.

- Required that the local government publish the required minimum standards and procedures on the local government's website within 30 days after certification of the designated property.
- Provided that the Department could inspect any designated property at any time and had to provide notice to the local government recommending closure of the designated property if the requirements for public camping and sleeping on designated property were no longer satisfied. A local government would have been required to publish any notice recommending closure on the local government's website not later than five business days after receipt of the notice.
- Provided that any resident or business owner of the local government, or the Attorney General, could bring a civil action against the local government to enjoin a violation of the requirements for public camping or sleeping on designated property.
- Required that an application for an injunction be accompanied by an affidavit attesting to certain information.
- Provided that the prohibition on public camping or sleeping without designation of property for that purpose would not apply during a period in which the Governor or a local government has declared a state of emergency.
- Required the Department, by June 30, 2027, to adopt rules necessary to implement these provisions.

House Bill 437 was ratified by the General Assembly on July 1, 2026, and vetoed by the Governor on July 8, 2026.