

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 646

Short Title: Make NC Insurrection-Free. (Public)

Sponsors: Senators Garrett, Everitt, and Robinson (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 26, 2025

A BILL TO BE ENTITLED
AN ACT MAKING PARTICIPANTS IN THE JANUARY SIXTH INSURRECTION
INELIGIBLE FOR STATE GOVERNMENT EMPLOYMENT.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 126 of the General Statutes is amended by adding a new Article to read:

"Article 17.

"Eligibility for State Government Employment.

"§ 126-100. Definitions; findings; scope.

(a) The following definitions apply in this Article:

(1) Conviction. – Any judgment of conviction entered by a court, whether upon verdict, plea of guilty, or plea of nolo contendere.

(2) Covered offense. – Means any:

a. Federal offense relating to insurrection, rebellion, or domestic terrorism;

b. Conviction under 18 U.S.C. § 1752 relating to restricted building or grounds violations;

c. Conviction under 40 U.S.C. § 5104 relating to violent entry and disorderly conduct on Capitol grounds; and

d. Any substantially similar offense under State law.

(3) Infamous or disgraceful conduct. – Acts that demonstrate contempt for constitutional government, violence against democratic institutions, or conduct that brings disrepute to public service.

(b) The General Assembly finds that:

(1) The integrity of public service and safety of North Carolina citizens requires a State workforce that demonstrates loyalty to democratic principles and the rule of law;

(2) Participation in acts to overthrow or disrupt constitutional government is fundamentally incompatible with public service; and

(3) No person who has engaged in insurrection, rebellion, or related infamous or disgraceful conduct should serve in positions of public trust.

(c) This Article applies to all State employees in the executive, legislative, and judicial branches of government, including The University of North Carolina System and the community colleges.

"§ 126-101. Employment eligibility restrictions.

(a) A person is ineligible for employment by the State if any of the following apply:



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- 1 (1) The person has been convicted of a covered offense related to the events of
2 January 6, 2021, at the United States Capitol.
3 (2) The person was pardoned for any or all of the person's actions involving the
4 January 6 insurrection.
5 (3) A federal or state court has found, after notice and opportunity for hearing,
6 that the person engaged in insurrection or rebellion against the United States
7 in violation of section 3 of the Fourteenth Amendment to the United States
8 Constitution.
9 (4) Clear and convincing evidence demonstrates the person engaged in infamous
10 or disgraceful conduct through participation in efforts to disrupt the peaceful
11 transfer of power, attack law enforcement, or undermine democratic
12 institutions.
13 (b) This section applies to all:
14 (1) Hirings on or after July 1, 2025.
15 (2) Current employees upon discovery of disqualifying conduct or conviction of
16 a covered offense.
17 (3) Contract employees employed by a contractor doing business with the State.

18 **"§ 126-102. Procedural requirements.**

- 19 (a) No person shall be terminated or denied employment under this Article without:
20 (1) Written notice of the specific grounds for ineligibility;
21 (2) Disclosure of evidence supporting the determination;
22 (3) An opportunity to respond and present evidence;
23 (4) A hearing before an impartial hearing officer if requested; and
24 (5) A written decision stating the grounds for any action taken.
25 (b) Any determination of infamous or disgraceful conduct must be supported by clear and
26 convincing evidence.
27 (c) Any person aggrieved by a final decision under this section may seek judicial review
28 in superior court."

29 **SECTION 2.** If any provision of this act or its application to any person is held
30 invalid, the remainder of this act and the application of its provisions to other persons or
31 circumstances shall not be affected.

32 **SECTION 3.** This act becomes effective July 1, 2025, and applies to employment
33 decisions made on or after that date.