

Courts, Justice, and Corrections

See full summary documents for additional detail

Allow Use of Inmates to Clean up Debris on Public Roads and Roadsides – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 5.3

Section 5.3 of S.L. 2025-2 (House Bill 47) does the following:

- Directs the Department of Adult Correction to work with the Department of Transportation to allow inmates to clean up debris from Hurricane Helene found on public roads and roadsides in the affected areas.
- Modifies the provisions guiding the Statewide Misdemeanant Confinement Program litter cleanup pilot program to allow for the cleanup of debris from disasters declared by the President of the United States or by the Governor.

This section of the act became effective March 19, 2025. The provision pertaining to the Statewide Misdemeanant Confinement Program applies to debris removal resulting from disaster declarations made before, on, or after that date.

Birth Certificates for Persons Adopted.

SL 2025-9 (S248)

S.L. 2025-9 (Senate Bill 248) requires the State Registrar to provide county registrars of deeds with electronic access to adoptee birth certificates. The county registrars must provide a certified copy of an adoptee birth certificate to the adoptee, the adoptee's children, the adoptive parents, the adoptee's spouse, and the adoptee's siblings upon request. If a requested adoptee birth certificate has not been digitized, the county registrar of deeds may request the State Registrar to digitize the certificate, and the State Registrar must fulfill the request within two business days.

This act becomes effective January 1, 2026.

Authorize Magistrates to Accept for Filing Petitions for Adult Protective Services Emergency Orders After Business Hours and to Hear Ex Parte Motions Regarding the Petitions When a District Court Judge is Unavailable – Department of Health and Human Services Revisions.

SL 2025-27 (H576), Sec. 5.1

Section 5.1 of S.L. 2025-27 (House Bill 576) allows for a magistrate to accept the filing of a petition for an order authorizing the provision of emergency services to a disabled adult in emergency situations when the office of the clerk is closed. The chief district court judge may authorize one or more magistrates to hear motions and issue ex parte orders for the provision of emergency services to disabled adults outside of the clerk's business hours.

This section becomes effective November 1, 2025, and applies to petitions filed under G.S. 108A-106 seeking an order ex parte for the provision of emergency services filed on or after this date.

Emergency Medical Services Personnel Provisions.

SL 2025-42 (H975)

S.L. 2025-42 (House Bill 975) directs the North Carolina Office of Emergency Medical Services (Office) and the Medical Care Commission (Commission) to adopt rules that permit emergency medical services (EMS) personnel to carry pepper spray. It also allows EMS personnel to transport or render aid to an injured police K-9 unit or search and rescue dog without being licensed by the North Carolina Veterinary Medical Board (Board). EMS personnel who provide such assistance in good faith are not subject to prosecution.

The Part of this act pertaining to the adoption of rules by the Office and the Commission for the carrying of pepper spray by EMS personnel became effective on July 1, 2025. The Part of this act that allows EMS personnel to transport and render aid to injured dogs without a license from the Board became effective July 30, 2025, and applies to acts on or after that date. The Part of this act that immunizes EMS personnel from prosecution for transporting and rendering aid to injured dogs became effective July 30, 2025, and applies to acts on or after that date.

Review of Personnel Records – Department of Public Safety Agency Changes.

SL 2025-51 (S710), Part VI

Part VI of S.L. 2025-51 (Senate Bill 710) requires a North Carolina law enforcement agency considering an applicant for employment as a sworn law enforcement officer, or sheriff considering an applicant for employment as a deputy sheriff, to request and review the complete personnel file of the applicant of any North Carolina law enforcement agency where the applicant was employed within the previous five years. The previous employer of the applicant must grant the requesting agency access to the applicant's complete personnel file upon receipt of a release signed by the applicant.

This Part became effective July 2, 2025.

Administrative Office of the Court Agency Requests.

SL 2025-54 (H620)

S.L. 2025-54 (House Bill 620) makes various changes to the statutes affecting the Administrative Office of the Courts (AOC) and the courts of North Carolina.

Section 1 adds the newly established High Point University School of Law to the recipient list of State Appellate Division reports.

Section 2 makes a technical correction to replace "drug treatment court" with "local judicially managed accountability and recovery court" (JMARC) for consistency with Article 62 of Chapter 7A of the General Statutes. It also clarifies that Article 62 of Chapter 7A applies to all JMARC regardless of funding source. This section became effective August 1, 2025.

Section 3 prohibits the use of modified AOC forms without proper notice that the form has been modified. This section became effective July 2, 2025, and applies to modified forms used on or after that date.

Section 4 repeals the requirement that a person who wishes to change his or her name must give 10 days' notice of the application by publication at the courthouse. This section becomes effective December 1, 2025, and applies to applications for a name change filed on or after that date.

Section 5 clarifies that no bond is required of a bank or trust company licensed to do business in this State that has powers or privileges granted in its charter to serve as guardian. A notary public will be permitted to acknowledge a bond. This section becomes effective December 1, 2025.

Section 6 makes technical changes and requires a commission instead of a jury in cases concerning the election of a surviving spouse to take a life interest in lieu of an intestate share. It changes the extension time to qualify or renounce as Executor or Administrator to 20 days. Accounts of an estate filed with the clerk of superior court are required to contain certified copies of wills in any county where the decedent owned real estate after the will is probated. It also clarifies the procedure for transferring a motor vehicle upon inheritance or devise and the procedure for depositing a will with the clerk of superior court. This section becomes effective December 1, 2025.

Section 7 clarifies that the jurisdiction of superior court judges assigned to a specific case is the same as the jurisdiction of a regular judge over matters arising in the regular judge's district.

Section 8 makes a technical correction to remove a reference to a repealed statute.

Section 9 modifies provisions related to domestic violence protective orders by specifying that the clerk does not have to effect service if the appropriate law enforcement agency is not in North Carolina. This section became effective July 2, 2025, and applies to service of process occurring on or after that date.

Section 10 does the following related to juvenile custody:

- Adds an indictment and an information to the charging documents to be considered when a request for secure or nonsecure custody of a juvenile is made.
- Updates G.S. 7B-1904 to facilitate the procedure in G.S. 15A-960 to remove a case from superior court back to juvenile court.
- Modifies the process for release of an obligor from a juvenile's bond if the case is removed to juvenile court.

This section becomes effective December 1, 2025, and applies to proceedings occurring on or after that date.

Section 11 requires clerks to send copies of inpatient commitment orders to the entities or physicians responsible for providing treatment within 48 hours of the hearing. This section became effective July 2, 2025, and applies to orders issued on or after that date.

Section 12 includes retirement as a reason a judge can be unavailable in proceedings regarding judicial settlement. This section became effective July 2, 2025, and applies to actions taken on or after that date.

Section 12.2 requires AOC to prescribe rules for any training or educational material provided to jurors and prohibits the court from providing jurors with any training or educational material not allowed under AOC rules. This section becomes effective December 1, 2025, and applies to training or educational material provided on or after that date.

Section 12.3 provides that except for original stenomask audio files and audio files of digital recording technicians, audio recordings created by court reporters are not public records and can be disclosed to the parties or the public only to the extent allowed by a court order for good cause shown.

Section 12.4 clarifies when a landlord is permitted to charge reasonable attorneys' fees to a tenant if an eviction is based on a default other than the nonpayment of rent. This section is effective retroactively to September 9, 2024.

Section 12.5 modifies the mandatory retirement statutes for superior court judges and district court judges. Under previous law, no superior court judge or district judge could continue in office beyond the last day of the month in which the judge attains 72 years of age. This section allows superior court judges and district judges to continue serving until the last day of the calendar year in which the judge attains 72 years of age. This section became effective July 2, 2025, and applies to judicial retirements on or after that date.

Section 13 establishes a procedure regarding the suspension, removal, or reinstatement of Clerks of Superior Court. This section became effective July 2, 2025, and applies to proceedings based upon clerk conduct occurring on or after that date.

Section 14 clarifies who can serve as a Business Court Judge and what cases can be designated as complex business cases. It also clarifies which cases can be appealed. This section becomes effective December 1, 2025, and applies to judges designated and proceedings held on or after that date.

Section 15 grants the AOC Director the authority to create an official flag, seal, and other emblems of the judicial branch.

Section 16 clarifies the authority of the AOC Director to set the number of magistrates within a county above the minimum required for that county.

Section 17 clarifies the requirements for the disbursement of expenses to personnel of the judicial department.

Section 18 modifies mediated settlement procedures in superior court and district court. Specifically, evidence from mediated settlement conferences pursuant to G.S. 7A-38.1, G.S. 7A-38.3B, G.S. 7A-38.3D, and G.S. 7A-38.4A are admissible in proceedings for abuse, neglect, or dependency of a juvenile or proceedings for abuse, neglect, or exploitation of an adult.

Section 19 clarifies the authority of a senior resident superior court judge in the event of disability of another judge. It also requires a special license plate issued to a senior resident superior court judge serving in districts 7A, 7B, 8A, 8B, 8C, 9A, 9B, 15A, 15B, 43A, and 43B to also include the letter associated with the district's number.

Section 20 grants the North Carolina State Bar the authority to discipline out of state attorneys practicing law in North Carolina.

Section 21 allows for certain physical documents to be converted to an electronic format for filing with the General Court of Justice.

Except as otherwise provided above, this act became effective July 2, 2025.

Revise Law Governing the Granting of Immunity to Witnesses – 2025 Public Safety Act.

SL 2025-70 (S429), Sec. 4

Section 4 of S.L. 2025-70 (Senate Bill 429) removes the requirement that the district attorney inform the Attorney General prior to applying to the court for an order to compel a witness to testify when that order would grant the witness immunity after the witness has asserted, or is likely to assert, a privilege against self-incrimination.

This section became effective July 9, 2025, and applies to applications made on or after that date.

Require Certain Petitions Pertaining to Sex Offender Registration be Placed on the Criminal Docket – 2025 Public Safety Act.

SL 2025-70 (S429), Sec. 5

Section 5 of S.L. 2025-70 (Senate Bill 429) modifies the process related to petitions to terminate sex offender registration by requiring the clerk of court upon receipt of the petition from the petitioner to collect the applicable filing fee and place the petition on the criminal docket to be calendared by the district attorney.

This section becomes effective December 1, 2025, and applies to petitions filed on or after that date.

Revise Law Governing the Recording of Court Proceedings – 2025 Public Safety Act.

SL 2025-70 (S429), Sec. 11

Section 11 of S.L. 2025-70 (Senate Bill 429) modifies the law related to recording of court proceedings to require that arguments of counsel on questions of law be recorded upon motion of a party or upon the judge's own motion.

This section became effective July 9, 2025, and applies to proceedings commenced on or after that date.

Remove Concurrent Sentencing Default – 2025 Public Safety Act.

SL 2025-70 (S429), Sec. 19

Section 19 of S.L. 2025-70 (Senate Bill 429) removes the default of a concurrent sentence if not expressly stated by the court and requires the court to make a finding on the record stating its reasoning for determining whether sentences shall run concurrently or consecutively.

This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

Extend Sunset Date for Use of Guards at State Prisons – 2025 Public Safety Act.

SL 2025-70 (S429), Sec. 22

Section 22 of S.L. 2025-70 (Senate Bill 429) extends the sunset date for the use of private security guards at state prisons from June 30, 2025, to June 30, 2027.

This section became effective on July 9, 2025.

Modify Law Governing Electronic Signatures of Court Documents – 2025 Public Safety Act.

SL 2025-70 (S429), Sec. 24

Section 24 of S.L. 2025-70 (Senate Bill 429) 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 fee application orders.

This section became effective July 9, 2025, and expires two years after that date.

Prevent Sexual Exploitation/Women and Minors.

SL 2025-84 (H805)

S.L. 2025-84 (House Bill 805) does the following:

- Provides that the following definitions apply to all administrative rules, regulations, or public policies of North Carolina and its political subdivisions, unless otherwise specified:
 - Biological Sex. – The biological indication of male and female in the context of reproductive potential or capacity, such as sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender.
 - Boy. – A minor human male.
 - Father. – A male parent.
 - Female. – A term that when used to refer to a natural person, means a person belonging, at conception, to the sex characterized by a reproductive system with the biological function of producing ova (eggs).
 - Gender identity. – A term that means an individual's self-declared identity that may not align with biological sex and, being a subjective internal sense, shall not be treated as legally or biologically equivalent to sex.
 - Girl. – A minor human female.
 - Male. – A term that when used to refer to a natural person, means a person belonging, at conception, to the sex characterized by a reproductive system with the biological function of producing sperm.
 - Man. – An adult human male.
 - Mother. – A female parent.
 - Woman. – An adult human female.

This section becomes effective January 1, 2026.

- Enacts Article 51A of Chapter 66 of the General Statutes, which is entitled "Prevent Sexual Exploitation of Women and Minors Act." This Article does the following:
 - Requires online entity operators to comply with certain age verification and written consent requirements for individuals appearing in pornographic images.
 - Requires online entity operators to establish certain procedures for removing a pornographic image upon request and to prominently display a notice on its website or mobile application that provides instructions on how to request removal of a pornographic image.
 - Prohibits users of online entities from distributing or publishing a pornographic image of an individual to the online entity without that individual's consent.
 - Authorizes the Attorney General to impose civil penalties on online entity operators for violations of this Article.
 - Authorizes civil actions against online entity operators and users of online entities for certain violations of this Article.

This section becomes effective December 1, 2025, and applies to acts or omissions occurring before, on, or after that date.

- Prohibits State funds from being used to fund surgical gender transition procedures, puberty-blocking drugs, or cross-sex hormones for any prisoner incarcerated in the State prison system or the Statewide Misdemeanor Confinement Program or otherwise in the custody of the Department of Adult Correction, or to support the administration of any governmental health plan or government-offered insurance policy offering surgical gender transition procedures, puberty-blocking drugs, or cross-sex hormones to any prisoner incarcerated in the State prison system or the Statewide Misdemeanor Confinement Program or otherwise in the custody of the Department of Adult Correction. This provision does not apply to the State Health Plan for Teachers and State Employees. This section became effective July 1, 2025. The exemption for the State Health Plan for Teachers and State Employees expires 30 days after the Memorandum and Order, dated June 10, 2022, or the permanent injunction ordered therein in *Kadel v. Folwell*, 1:19CV272 is vacated, overturned, or is no longer in force.
- Provides that certain causes of action for malpractice under G.S. 1-15 arising out of the performance of or failure to perform services while in the course of facilitating or perpetuating gender transition must be commenced within 10 years from the time of discovery by the injured party of both the injury and the causal relationship between the treatment and the injury against the offending medical professional or entity. This section became effective July 29, 2025, and applies to causes of action accruing before, on, or after that date.
- Provides that when the sex of a person is changed on an amended or new birth certificate, the State Registrar will attach the new certificate to the certificate of birth then on file and will preserve both certificates as a multi-page document. The State Registrar will forward a copy of the new certificate to the register of deeds of the county of birth. The register of deeds of the county of birth will attach the new certificate to the copy of the certificate of birth on file. The register of deeds will preserve both certificates as a multi-page document. Thereafter, when a certified copy of the certificate of birth of the person is issued, it will be a copy of the multi-page document. The State Registrar will adopt rules and policies to implement these requirements. This section becomes effective December 1, 2025.

Please note that the summaries for sections 3.2, 3.3, and 3.4 of S.L. 2025-84 can be found in the Education subject area of this publication.

This bill was vetoed by the Governor on July 3, 2025, and that veto was overridden by the General Assembly on July 29, 2025. Except as otherwise provided, this act became effective July 29, 2025.

The Criminal Illegal Alien Enforcement Act.

SL 2025-85 (H318)

S.L. 2025-85 (House Bill 318) does the following:

- Modifies the list of offenses for which the administrator of a jail or confinement facility must attempt to determine legal residency of a prisoner to include the following:
 - Any felony.
 - A Class A1 misdemeanor under the unborn victims statutes, the rape and other sex offenses statutes, or the assaults statutes.
 - Any violation of a domestic violence protective order.
 - Any offense involving impaired driving.
- Requires a judicial official determining conditions of pretrial release to attempt to determine legal residency for the same offenses applicable to prisoners, and if unable to determine legal residency, commit the defendant to a facility to be fingerprinted and held for a period of two hours after a query to Immigration and Customs Enforcement of the United States Department of Homeland Security (ICE). If ICE does not issue a detainer and administrative warrant for the defendant within the two-hour period, the defendant will be released pursuant to the terms and conditions of the pretrial release order. If the facility receives an ICE detainer and administrative warrant for the defendant within the two-hour period, the defendant will be taken before a judicial official for processing based on the ICE detainer and administrative warrant.
- Requires a person subject to a court order based on receipt of an ICE detainer and administrative warrant to be held for 48 hours after the time the person would otherwise be released from the facility unless ICE takes custody of the person or ICE rescinds the detainer.
- Requires the facility holding a person subject to a court order based on receipt of an ICE detainer and administrative warrant to notify ICE, not more than 2 hours after the person would otherwise be released, of the date and time the 48 hours will expire using the manner indicated on the detainer and administrative warrant.

This bill was vetoed by the Governor on June 20, 2025, and that veto was overridden by the General Assembly on July 29, 2025. This act became effective October 1, 2025. The section of the act pertaining to the legal status of prisoners applies to any person confined in or released from a facility on or after that date, and the section of the act pertaining to pretrial release proceedings applies to persons appearing before a judicial official for a determination of pretrial release conditions on or after that date.

Sale of Mainframe and Related Technology Components – Continuing Budget Operations Part II.

SL 2025-92 (H358), Sec. 5.1

Section 5.1 of S.L. 2025-92 (House Bill 358) allows the Administrative Office of the Courts (AOC) to sell its mainframe computing system and related components on terms that AOC deems to be in its best interests and without involvement of the State Surplus Property Agency.

This section became effective retroactively to July 1, 2025.

Remote Public Access Fees – Continuing Budget Operations Part II.

SL 2025-92 (H358), Sec. 5.2

Section 5.2 of S.L. 2025-92 (House Bill 358) clarifies the authority of the Director of the Administrative Office of the Courts to enter into contracts under reasonable terms with third parties to provide remote electronic access to certain court records and clarifies that funds recovered pursuant to any such agreements must be remitted to the State Treasurer to be held in the Court Information Technology Fund.

This section became effective retroactively to July 1, 2025.

Iryna's Law.

SL 2025-93 (H307)

S.L. 2025-93 (House Bill 307) enacts "Iryna's Law" and makes changes to various criminal and court procedures.

Pretrial Release

The act makes several changes to the pretrial release laws as follows:

- Requires law enforcement to share any relevant behaviors of a defendant the officer has observed with a judicial official determining conditions of pretrial release.
- Creates a new definition of "violent offense" and provides additional requirements for pretrial release of defendants charged with a violent offense or who have a significant criminal history.
- Provides a new procedure to address defendants with mental health concerns. If a defendant is: (i) charged with a violent offense and court records indicate that the defendant has been involuntarily committed within the prior three years, or (ii) charged with any offense and the judicial official has reasonable grounds to believe the defendant is a danger to themselves or others, the judicial official shall enter an order including all the following:
 - Require the defendant to receive an initial examination by a commitment examiner.
 - Require the arresting officer to transport the defendant to a hospital emergency room or other crisis facility with certified commitment examiners for the initial examination.
 - Require the commitment examiner to either (i) petition for involuntary commitment, or (ii) provide written notice to the judicial official that there are no grounds to file a petition for involuntary commitment.
 - Provide that, except as provided below, if a petition for involuntary commitment is filed, the custody of the defendant is determined by that process during the pendency of the petition, any hearings, or involuntary commitment orders issued.

- Provide that if a defendant has not met all other conditions of pretrial release, if no involuntary commitment petition is filed, no involuntary commitment custody order is issued, or at any time the involuntary commitment provisions would otherwise release the defendant, the defendant must be held in the local confinement facility in the county where pretrial release conditions were set until all conditions of pretrial release are met by the defendant.
- Creates a rebuttable presumption that no condition of release will reasonably assure the appearance of a defendant and the safety of the community if the defendant is charged with a violent offense, and requires that if conditions of pretrial release are set, a secured bond, and in some instances house arrest, must be ordered. Judicial districts that do not currently have house arrest available are directed to enter into a Memorandum of Agreement with a vendor to provide this service.
- Provides that if a defendant has been convicted of 3 or more offenses (Class 1 misdemeanor or higher) within the prior 10 years, a judicial official may only release the defendant under the conditions of a secured bond, or with house arrest with electronic monitoring.
- Directs judicial officials to make written findings of fact in all cases where pretrial release is authorized for defendants subject to these new pretrial release conditions.
- Removes a written promise to appear from the options for pretrial release conditions.

These provisions become effective December 1, 2025, and apply to persons appearing before a judicial official for the determination of pretrial release conditions on or after that date.

Aggravating Factor

The act provides that the commission of the offense by the defendant while the victim was using a public transportation system is an aggravating factor to be considered in felony sentencing and capital sentencing.

These provisions become effective December 1, 2025, and apply to offenses committed on or after that date.

Modify Suspension of Magistrates

The act makes changes to rules governing magistrates as follows:

- Requires that rules of conduct for magistrates include rules regarding conflicts of interest.
- Authorizes the Chief Justice to suspend a magistrate.
- Expressly provides that failure of a magistrate to make written findings of fact that are required by statute is grounds for suspension and removal. However, a magistrate may not be removed from office for the first incident of failure to make written findings.

Direct the Collaboratory to Study Mental Health and the Justice System

The act directs the North Carolina Collaboratory to study the following:

- The intersection of mental health in the justice system for both adults and juveniles in North Carolina.
- The availability of house arrest as a condition of pretrial release in each county or judicial district.
- Methods of execution other than those currently authorized by State law.

Additionally, the North Carolina Collaboratory is authorized to reallocate up to \$1,000,000 of funds previously appropriated to the Collaboratory to conduct the studies required.

Prohibit the Task Force for Racial Equity in Criminal Justice

The act provides that the Task Force for Racial Equity in Criminal Justice, created by the Governor's Executive Order No. 145, and extended by Executive Order No. 273, which has expired, may not be recreated except by act of the General Assembly.

Modify Death Penalty Proceedings

The act modifies the timing and venue of proceedings in death penalty cases as follows:

- Requires automatic review by the North Carolina Supreme Court and any post-conviction motions for appropriate relief be heard within 24 months of filing or entry of judgment. Any extension beyond that time must include a written finding of extraordinary circumstances that provide good cause for the extension of time. These provisions apply: (i) to motions filed and judgments entered on or after December 1, 2025, and (ii) to motions filed or judgments entered prior to, and any motions pending on, December 1, 2025, except that any motion filed or judgment entered more than 24 months prior to December 1, 2025 shall be heard or reviewed no later than December 1, 2027, and shall be scheduled for hearing or review no later than December 1, 2026.
- Modifies the venue for post-conviction proceedings in capital cases to provide that any filing, claim, or proceeding related to the conviction, sentencing, treatment, housing, or execution of a defendant that has been convicted of a capital offense and sentenced to death is in the county of conviction. This provision applies to any filings made and any proceedings or hearings held on or after December 1, 2025.

The act also provides that lethal injection is the default method of execution in North Carolina; however, it allows for the use of other methods of execution if lethal injection is found to be unconstitutional or is not available for another reason. Upon such an event, the Secretary of the Department of Adult Correction is required to select another method of execution that has been adopted by another state that has not been declared unconstitutional by the United States Supreme Court. All challenges to a method of execution that have been declared unconstitutional are subject to direct appeal to the North Carolina Supreme Court. These provisions are effective when they become law.

Modify the Procedures for Involuntary Commitment of a Defendant Found Incapable of Proceeding

The act modifies laws governing the custody of a person found incapable of proceeding in a criminal trial and their underlying charges as follows:

- Authorizes the district attorney to make a motion prior to the dismissal of criminal charges for the court to determine whether the defendant should be evaluated pursuant to Chapter 122C of the General Statutes for involuntary commitment.
- Provides that criminal charges dismissed due to incapacity to proceed are not expunged by operation of law.
- Requires notice to additional parties for actions regarding a defendant found incapable to proceed as follows:
 - Requires the clerk to provide notice of any inpatient commitment hearing for a defendant found incapable to proceed to the chief district judge and the district attorney in the county in which the defendant was found incapable of proceeding if the defendant's custody order indicates that the defendant was charged with a violent crime.
 - Requires a facility to notify the district attorney in the county in which the defendant was found incapable of proceeding before the defendant is discharged or conditionally released.
 - Provides that if the district attorney elects to represent the State's interest in either of these matters, upon motion of the district attorney, the venue for the hearings, rehearings, and supplemental rehearings is the county in which the respondent was found incapable of proceeding.

These provisions become effective December 1, 2025, and apply to dismissals and proceedings occurring or commitment proceedings initiated on or after that date.

Extend Terms of Probation and Post-Release Supervision for Certain Juvenile Offenders and Clarify Victim's Notification Rights

The act makes the following changes to probation and post-release supervision of a juvenile adjudicated delinquent:

- Authorizes an additional 1 year extension of probation, not to exceed a total of 3 years, for a juvenile adjudicated of an offense that would be a Class A, B1, or B2 felony if committed by an adult.
- Requires the term of post-release supervision be 3 years for a juvenile adjudicated of an offense that would be a Class A, B1, B2, or C felony if committed by an adult.
- Requires notification to any victim that has requested notification, and an opportunity to be heard, for any termination of probation or post-release supervision for a juvenile.

These provisions become effective December 1, 2025, and apply to offenses committed on or after that date.

Additional Assistant District Attorneys and Legal Assistants in Mecklenburg County

The act appropriates funds for 10 additional full-time assistant district attorneys and 5 full-time legal assistants in Mecklenburg County beginning fiscal year 2025-2026.

This provision became effective retroactively to July 1, 2025.

Require Authorization for Release of Violent Involuntary Commitment Respondents Prior to Hearing

The act modifies the procedure for involuntary commitment to provide that if the custody order directing a respondent be taken to a 24-hour facility for examination states that the respondent has had a conviction for a violent offense within the previous 10 years and has been subject to an involuntary commitment order within the previous 5 years, the respondent may not be released from the 24-hour facility until one of the following occur:

- The court orders the respondent's release following the district court hearing.
- The physician has provided written certification to the court of several factors, and a district court judge has issued an order authorizing the respondent's release prior to the district court hearing.

This provision becomes effective December 1, 2027, and applies to custody orders issued on or after that date.

Except as otherwise provided above, this act became effective October 3, 2025.

State Highway Patrol/Additional Exempt Positions – Continuing Budget Operations Part IV.

SL 2025-97 (S449), Sec. 5.4

Section 5.4 of S.L. 2025-97 (Senate Bill 449) increases the number of employees the State Highway Patrol may exempt from portions of the State Human Resources Act from 10 employees to 17 employees.

This section became effective retroactively to July 1, 2025.

Administrative Office of the Courts/Funding for Additional Special Assistant United States Attorneys – Continuing Budget Operations Part IV.

SL 2025-97 (S449), Sec. 5.6

Section 5.6 of S.L. 2025-97 (Senate Bill 449) appropriates \$600,000 in recurring funds to the Administrative Office of the Courts in the 2025-2026 fiscal year to be used for additional special assistant United States attorneys. Additionally, this section provides that the North Carolina

Conference of District Attorneys can assign 12 assistant district attorney positions for the purpose of serving as special assistant United States attorneys rather than 6.

This section is effective retroactively to July 1, 2025.

**Allow the State Bureau of Investigation to use Third-Party Vendors for Fingerprinting and Criminal Record Checks – Continuing Budget Operations
Part IV.**

SL 2025-97 (S449), Sec. 5.7

Section 5.7 of S.L. 2025-97 (Senate Bill 449) provides that the State Bureau of Investigation (SBI) may contract with any third-party vendor approved by the Director of the SBI for any of the following:

- Fingerprinting.
- Conducting any criminal record check the SBI is authorized to provide by law.
- Fingerprinting and conducting any criminal record check the SBI is authorized to provide by law.

Such third-party vendors may charge a fee for each service provided. Any legal requirements that would apply to the SBI pertaining to the collection of fingerprints or other information collected for a criminal record check apply would apply to third-party vendors used by the SBI.

This section became effective July 1, 2025, and applies to criminal record checks requested on or after that date.