

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 58
Judiciary Committee Substitute Adopted 2/26/25
Third Edition Engrossed 3/11/25

Short Title: AG/Restrict Challenge to Presidential EOs. (Public)

Sponsors:

Referred to:

February 6, 2025

A BILL TO BE ENTITLED
AN ACT TO LIMIT THE ATTORNEY GENERAL'S PARTICIPATION IN LITIGATION
THAT WOULD RESULT IN THE INVALIDATION OF ANY EXECUTIVE ORDER
ISSUED BY THE PRESIDENT OF THE UNITED STATES AND TO REQUIRE THE
ATTORNEY GENERAL TO SUBMIT A REPORT REGARDING VIOLATIONS OF
G.S. 14-277.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 114-2.8, as enacted by Section 3D.1 of S.L. 2024-57, reads as rewritten:

"§ 114-2.8. Limitation on participation in ~~foreign~~ certain litigation.

(a) The Attorney General shall not, as a party, amicus, or any other participant in an action pending before a state or federal court in another state, advance any argument that would result in the invalidation of any statute enacted by the General Assembly.

(b) The Attorney General shall not, as a party, amicus, or any other participant, do either of the following in any state or federal court:

- (1) File an action that would result in the invalidation of an executive order issued by the President of the United States.
- (2) Advance any argument in a pending action that would result in the invalidation of any executive order issued by the President of the United States."

SECTION 2. No later than June 1, 2025, the Attorney General shall submit a report to the Joint Legislative Oversight Committee on Justice and Public Safety containing the following information to the extent the information is available:

- (1) How many convictions for violations of G.S. 14-277 have been obtained from January 1, 2021 through March 1, 2025.
- (2) How many convictions for violations of G.S. 14-277 obtained from January 1, 2021 through March 1, 2025 were based on the defendant's impersonation of an agent of the Immigration and Customs Enforcement of the United States Department of Homeland Security.

The Attorney General shall request the required information and coordinate the required response by requesting information from all necessary parties, including but not limited to the North Carolina Administrative Office of the Courts, the North Carolina Conference of District Attorneys, and any elected district attorney.

SECTION 3. Section 1 is effective when it becomes law and applies to actions filed or commenced on or after that date. The remainder of this act is effective when it becomes law.



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