

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS45213-MC-126

Short Title: Personal Privacy Protection Act.

(Public)

Sponsors: Senators Daniel, Hise, and Moffitt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE PERSONAL PRIVACY PROTECTION ACT.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** Title. – This act shall be known as The Personal Privacy Protection
5 Act.

6 **SECTION 2.** Purpose. – This act prohibits public agencies from collecting,
7 disclosing, or releasing personal information about members, volunteers, and financial and
8 nonfinancial donors to 501(c) nonprofit organizations, except as required by law. This act
9 provides penalties for violation of these privacy protections.

10 **SECTION 3.** Definitions. – The following definitions apply in this act:

11 (1) Nonprofit organization. – An entity that is exempt from federal income tax
12 under section 501(c) of the Internal Revenue Code, has submitted an
13 application with the Internal Revenue Service for recognition of an exemption
14 under section 501(c) of the Internal Revenue Code, or is a not-for-profit
15 business entity recognized under State law.

16 (2) Person. – Defined in G.S. 12-3.

17 (3) Personal information. – Any list, record, register, registry, roll, roster, or other
18 compilation of data of any kind that directly or indirectly identifies a person
19 as a member, supporter, volunteer, or donor of financial or nonfinancial
20 support to any nonprofit organization.

21 (4) Public agency. – Any State or local governmental unit and its employees,
22 however designated, including, but not limited to, this State; any department,
23 agency, office, commission, board, division, or other entity of this State,
24 including all boards, departments, divisions, and institutions of higher
25 education; any political subdivision of this State, including, but not limited to,
26 a county, city, township, village, school district, community college district,
27 or any other local governmental unit, agency, authority, council, board, or
28 commission; or any State or local court, tribunal, or other judicial or
29 quasi-judicial body.

30 **SECTION 4.** Protections Afforded. – Notwithstanding any law, and subject to
31 Section 5 of this act, a public agency shall not do any of the following:

32 (1) Require any person or nonprofit organization to provide the public agency
33 with personal information or otherwise compel the release of personal
34 information.

35 (2) Release, publicize, or otherwise publicly disclose personal information in
36 possession of the public agency.



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- 1 (3) Request or require a current or prospective contractor or grantee with the
2 public agency to provide a list of nonprofit organizations to which the current
3 or prospective contractor or grantee has provided financial or nonfinancial
4 support.

5 Personal information is not a public record under Chapter 132 of the General Statutes.

6 **SECTION 5.** Exemptions. – This act does not preclude any of the following:

- 7 (1) Any report or disclosure required by State law.
8 (2) Any lawful warrant for personal information issued by a court of competent
9 jurisdiction.
10 (3) A lawful request for discovery of personal information in litigation if both of
11 the following conditions are met:
12 a. The requestor demonstrates a compelling need for the personal
13 information by clear and convincing evidence.
14 b. The requestor obtains a protective order barring disclosure of personal
15 information to any person not named in the litigation.
16 (4) Admission of personal information as relevant evidence before a court of
17 competent jurisdiction. However, no court shall publicly reveal personal
18 information absent a specific finding of good cause.
19 (5) A public agency from releasing personal information that was voluntarily
20 released to the public by the person or the nonprofit organization to which it
21 relates.
22 (6) Collection of information disclosing the identity of any director, officer,
23 registered agent, or incorporator of a nonprofit organization in any report or
24 disclosure required by statute to be filed with the Secretary of State, except
25 that information that directly identifies a person as a donor of financial support
26 to a nonprofit organization shall not be collected or disclosed.
27 (7) Disclosure of personal information derived from a donation to a nonprofit
28 organization that is affiliated with a public agency and required by statute, if
29 the person has not previously requested anonymity from the nonprofit
30 organization.
31 (8) Nothing in this act shall apply to a national securities association that is
32 registered pursuant to section 15A of the Securities Exchange Act of 1934, as
33 amended, or regulations adopted thereunder or any information such national
34 securities association provided pursuant to State law.

35 **SECTION 6.** Penalties. – A person alleging a violation of this act may bring a civil
36 action for appropriate injunctive relief, damages, or both. Damages awarded under this section
37 may include one of the following, as appropriate:

- 38 (1) A sum of money not less than two thousand five hundred dollars (\$2,500) to
39 compensate for injury or loss caused by each violation of this act.
40 (2) For an intentional violation of this act, a sum of money not to exceed three
41 times the sum described in subdivision (1) of this section.

42 A court, in rendering a judgment in an action brought under this act, may award all or
43 a portion of the costs of litigation, including reasonable attorneys' fees and witness fees, to the
44 complainant in the action if the court determines that the award is appropriate.

45 A person who knowingly violates this act is guilty of a misdemeanor punishable by
46 imprisonment for not more than 90 days or a fine of not more than one thousand dollars (\$1,000)
47 or both.

48 **SECTION 7.** Severability. – If any provision of this act or its application to any
49 person or circumstance is held invalid, then the invalidity shall not affect other provisions or
50 applications of the act that can be given effect without the invalid provision or application and,
51 to that end, the provisions of this act shall be severable.

1 **SECTION 8.** Except as otherwise provided, this act becomes effective October 1,
2 2025.