

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40488-MU-20

Short Title: NC Digital Asset Freedom Act. (Public)

Sponsors: Representative N. Jackson.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE USE OF DIGITAL ASSETS IN ECONOMIC TRANSACTIONS
3 AND IN THE PAYMENT OF TAXES AND TO ESTABLISH PROTECTIONS FOR NEW
4 CUSTOMERS TRANSMITTING DIGITAL ASSETS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Chapter 66 of the General Statutes is amended by adding a new Article
7 to read:

8 "Article 52.

9 "North Carolina Digital Asset Freedom Act.

10 **"§ 66-511. Short title.**

11 This Article may be cited as the North Carolina Digital Asset Freedom Act.

12 **"§ 66-512. Legislative findings.**

13 The General Assembly finds all of the following:

- 14 (1) The General Assembly finds that digital assets, when properly regulated and
15 aligned with principles of decentralization, security, and resilience, can be a
16 valid and stable medium for economic exchange.
17 (2) The principles set forth in this Article reflect North Carolina's commitment to
18 fostering innovation, commerce, and privacy.
19 (3) The General Assembly further finds that decentralized digital assets, which
20 are not governed by any central entity or foundation, align with the economic
21 principles of limited, noninflationary money and are capable of ensuring the
22 security and integrity of transactions.

23 **"§ 66-513. Scope.**

24 This Article applies only to a digital asset that satisfies all of the following requirements:

- 25 (1) Decentralization and fair issuance. – The digital asset shall have been
26 launched fairly, without pre-mining, insider allocations, or central authority
27 control, and shall not rely on a single entity, foundation, or small group of
28 insiders for its ongoing operation or governance.
29 (2) Lack of centralized governance. – The digital asset shall operate without
30 unilateral control over protocol changes, and any upgrades shall occur through
31 a decentralized, voluntary consensus mechanism that prevents governance
32 capture.
33 (3) Security and immutability. – The asset shall have a proven track record of
34 security spanning at least 10 years, without any successful protocol-level
35 hacks or rollbacks. Transactions shall be immutable once confirmed,
36 preventing centralized actors from altering the ledger history.



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- 1 (4) Market longevity and free market endurance. – The digital asset shall have
2 operated continuously in an open, permissionless market for at least 10 years,
3 without requiring external intervention or state support to maintain viability,
4 and shall have survived regulatory scrutiny without being classified as a
5 security.
- 6 (5) Liquidity and market depth. – The digital asset shall have a minimum market
7 capitalization of seven hundred fifty billion dollars (\$750,000,000,000) and a
8 daily trading volume exceeding ten billion dollars (\$10,000,000,000), with
9 availability across multiple highly regulated U.S. exchanges to ensure
10 institutional-grade liquidity and price discovery.
- 11 (6) Regulatory clarity and legal standing. – The digital asset shall have been
12 deemed a commodity or an equivalent non-security by U.S. regulators, such
13 as the U.S. Securities and Exchange Commission, U.S. Commodity Futures
14 Trading Commission, or other relevant authorities. Assets subject to ongoing
15 litigation or regulatory uncertainty regarding their classification as a security
16 are disqualified.
- 17 (7) Energy-based consensus and cost of attack. – The digital asset shall be secured
18 by a proof-of-work mechanism, ensuring that attacks require significant
19 real-world economic resources. The cost of a fifty-one percent (51%) attack
20 shall be demonstrably high, ensuring network security is infeasible to
21 compromise.
- 22 (8) Censorship resistance. – Transactions shall be permissionless, meaning no
23 entity, government, or corporation can prevent users from sending or
24 receiving funds. The network shall be operational across multiple
25 jurisdictions, with globally distributed nodes and miners, preventing
26 geographical or political capture.
- 27 (9) Network resilience and uptime. – The digital asset's network shall have
28 maintained ninety-nine and ninety-eight hundredths percent (99.98%) uptime
29 or better, functioning independently of third-party financial institutions,
30 ensuring accessibility during market crises, bank failures, or geopolitical
31 instability.
- 32 (10) Predictable and non-inflationary supply. – The asset shall have a strictly
33 limited total supply and a fully transparent, programmatically enforced
34 issuance schedule, ensuring long-term scarcity and resistance to arbitrary
35 inflationary issuance.

36 **"§ 66-514. Recognition of digital assets as valid medium of exchange.**

37 Digital assets are recognized as a valid medium of exchange in North Carolina. A transaction
38 shall not be denied legal effect or enforceability solely because it uses a digital asset.

39 **"§ 66-515. Privacy and security protections.**

40 (a) Except as otherwise provided by law, a party to a transaction that uses a digital asset
41 shall not require another party to disclose personal financial information.

42 (b) The State of North Carolina shall ensure that privacy protections are in place for
43 persons using digital assets, in compliance with applicable privacy and data protection laws.

44 **"§ 66-516. Payment of taxes in digital assets.**

45 As provided in G.S. 105-241, a person may choose to use a digital asset to pay taxes to the
46 Department of Revenue."

47 **SECTION 2.** Article 16B of Chapter 53 of the General Statutes is amended by adding
48 a new section to read:

49 **"§ 53-208.70. New virtual currency customers; daily transaction limit; refund for fraud.**

50 (a) In this section, the following definitions apply:

- 51 (1) Kiosk. – An electronic terminal acting as a mechanical agent of a licensee.

(2) "New virtual currency customer" of a licensee. – A person whose first transaction with the licensee to transmit virtual currency occurred within 72 hours.

(b) A licensee shall impose a daily transaction limit equivalent to two thousand dollars (\$2,000) on a new virtual currency customer for transmissions of virtual currency through a kiosk.

(c) The licensee shall refund the full amount of a transmission of virtual currency to a person if all of the following apply:

(1) At the time of the transmission, the person was a new virtual currency customer.

(2) The person was fraudulently induced to transmit the virtual currency.

(3) The person reported the fraudulent nature of the transmission to the licensee within 14 days of the transmission."

SECTION 3. G.S. 105-241 reads as rewritten:

"§ 105-241. Where and how taxes payable; tax period; liens.

(a) Form of Payment. – Taxes are payable in either the national ~~currency~~-currency or a digital asset that satisfies the requirements of G.S. 66-513. The Secretary shall prescribe where taxes are to be paid and whether taxes must be paid in cash, by check, by electronic funds transfer, or by another method.

(a1) Payment by Digital Asset; Reporting Digital Asset Transactions. – If a person chooses to pay taxes with a digital asset, the person shall report the U.S. dollar equivalent of the payment amount using the digital asset-to-dollar exchange rate at the time of payment. Additionally, if a person reports a transaction using a digital asset, the person shall include the U.S. dollar equivalent of the amount of the transaction using the digital asset-to-dollar exchange rate at the time the transaction occurred. The Department of Revenue shall maintain on its website digital asset-to-dollar exchange rates and shall update these rates daily. This subsection applies only to digital assets that satisfy the requirements of G.S. 66-513.

...."

SECTION 4. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application and, to that end, the provisions of this act shall be severable.

SECTION 5. G.S. 66-516, as enacted by Section 1 of this act, and Section 3 of this act become effective January 1, 2026. The remainder of this act is effective when it becomes law.