

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 164
Judiciary Committee Substitute Adopted 5/6/25
PROPOSED HOUSE COMMITTEE SUBSTITUTE S164-PCS15333-SA-25

Short Title: Theft of Temporary Housing During Emergency.

(Public)

Sponsors:

Referred to:

February 26, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO SPECIFY THE PUNISHMENT FOR LOOTING ANOTHER PERSON'S
3 TEMPORARY HOUSING IN AN EMERGENCY AREA DURING A DECLARED STATE
4 OF EMERGENCY.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 14-288.1 reads as rewritten:

7 "§ 14-288.1. Definitions.

8 Unless the context clearly requires otherwise, the following definitions apply in this Article:

9 ...

10 (3) Declared state of emergency. – A state of emergency as that term is defined
11 in G.S. 166A-19.3 or a state of emergency found and declared by any chief
12 executive official or acting chief executive official of any county or
13 municipality acting under the authority of any other applicable statute or
14 provision of the common law to preserve the public peace in a state of
15 emergency, or by any executive official or military commanding officer of the
16 United States or the State of North Carolina who becomes primarily
17 responsible under applicable law for the preservation of the public peace
18 within any part of North Carolina.

19 ...

20 (4a) Emergency. – As defined in G.S. 166A-19.3.

21 (4b) Emergency area. – The geographical area covered by a declared state of
22 emergency.

23 ...

24 (11) Temporary housing. – Any of the following:

25 a. A tent, trailer, mobile home, or any other structure being used for
26 human shelter which is designed to be transportable and is not
27 permanently attached to the ground, to another structure, or to any
28 utility system on the same premises.

29 b. A vehicle being used as temporary living quarters.

30 c. Any equipment used to transport or deliver a structure or vehicle
31 described in sub-subdivision a. or b. of this subdivision.

32 d. Any item attached, affixed, or connected to, or intended to be attached,
33 connected, or affixed to, a structure or vehicle described in
34 sub-subdivision a. or b. of this subdivision to provide air conditioning,
35 heating, or a source of power for the structure or vehicle."



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1 **SECTION 2.** G.S. 14-288.6 reads as rewritten:

2 "**§ 14-288.6. Looting; trespass during emergency.**

3 (a) Any person who enters upon the premises of another without legal justification in an
4 emergency area during a declared state of emergency when the usual security of property is not
5 effective due to the occurrence or aftermath of ~~riot, insurrection, invasion, storm, fire, explosion,~~
6 ~~flood, collapse, or other disaster or calamity~~ the emergency that prompted the declared state of
7 emergency is guilty of a Class 1 misdemeanor of trespass during an emergency.

8 (b) Any person who commits the crime of trespass during emergency under subsection
9 (a) of this section and, without legal justification, obtains or exerts control over, damages,
10 ransacks, or destroys the property of another is guilty of the felony of ~~looting and shall be~~
11 ~~punished as a Class H felon.~~ looting. A violation of this subsection is punishable as follows:

12 (1) If the looted property is temporary housing or is taken from temporary
13 housing, a violation of this subsection is punishable as a Class F felony.

14 (2) If the looted property is anything other than property described in subdivision
15 (1) of this subsection, a violation of this subsection is punishable as a Class H
16 felony.

17 (c) Any person whose person or property is injured by reason of a violation of this section
18 may sue for and recover from the violator three times the actual damages sustained, as well as
19 court costs and attorneys' fees."

20 **SECTION 3.** This act becomes effective December 1, 2025, and applies to offenses
21 committed on or after that date.