

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 355
Judiciary Committee Substitute Adopted 4/29/25
Pensions and Retirement and Aging Committee Substitute Adopted 4/30/25
House Committee Substitute Favorable 5/13/26
House Committee Substitute #2 Favorable 6/9/26
PROPOSED HOUSE COMMITTEE SUBSTITUTE S355-PCS15492-SAp-41

Short Title: Support the Dept. of Adult Correction.-AB

(Public)

Sponsors:

Referred to:

March 24, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO SUPPORT THE WORK OF THE DEPARTMENT OF ADULT CORRECTION.
3 The General Assembly of North Carolina enacts:

4
5 **PART I. COMMUNITY SUPERVISION**

6
7 **WAIVE TUITION FOR SURVIVORS OF FALLEN PROBATION OFFICERS**

8 **SECTION 1.1.(a)** G.S. 115B-1 reads as rewritten:

9 **"§ 115B-1. Definitions.**

10 The following definitions apply in this Chapter:

11 ...

12 (4) Permanently and totally disabled as a direct result of a traumatic injury
13 sustained in the line of duty. – A person: (i) who as a law enforcement officer,
14 correctional officer, probation officer, firefighter, volunteer firefighter, or
15 rescue squad worker suffered a disabling injury while in active service or
16 training for active service, (ii) who at the time of active service or training was
17 a North Carolina resident, and (iii) who has been determined to be
18 permanently and totally disabled for compensation purposes by the North
19 Carolina Industrial Commission.

20 (4c) Probation officer. – An employee of an employer who is certified as a
21 probation officer under the provisions of Article 1 of Chapter 17C of the
22 General Statutes.

23 ...

24 (6) Survivor. – Any person whose parent, legal guardian, legal custodian, or
25 spouse: (i) was a law enforcement officer, a correctional officer, a probation
26 officer, a firefighter, a volunteer firefighter, or a rescue squad worker, (ii) was
27 killed while in active service or training for active service or died as a result
28 of a service-connected disability, and (iii) at the time of active service or
29 training was a North Carolina resident. The term does not include the widow
30 or widower of a law enforcement officer, correctional officer, probation
31 officer, firefighter, volunteer firefighter, or a rescue squad worker if the
32 widow or widower has remarried.



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...."

SECTION 1.1.(b) G.S. 115B-2(a) reads as rewritten:

"(a) The constituent institutions of The University of North Carolina and the community colleges as defined in G.S. 115D-2(2) shall permit the following persons to attend classes for credit or noncredit purposes without the required payment of tuition:

...

(2) Any person who is the survivor of a law enforcement officer, correctional officer, probation officer, firefighter, volunteer firefighter, or rescue squad worker killed as a direct result of a traumatic injury sustained in the line of duty.

(3) The spouse of a law enforcement officer, correctional officer, probation officer, firefighter, volunteer firefighter, or rescue squad worker who is permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty.

(4) Any child, if the child is at least 17 years old but not yet 24 years old, whose parent, legal guardian, or legal custodian is a law enforcement officer, correctional officer, probation officer, firefighter, volunteer firefighter, or rescue squad worker who is permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty. However, a child's eligibility for a waiver of tuition under this Chapter shall not exceed: (i) 54 months, if the child is seeking a baccalaureate degree, or (ii) if the child is not seeking a baccalaureate degree, the number of months required to complete the educational program to which the child is applying.

...."

SECTION 1.1.(c) G.S. 115B-5(b) reads as rewritten:

"(b) The officials of the institutions charged with administration of this Chapter shall require the following proof to insure that a person applying to the institution and who requests a tuition waiver under G.S. 115B-2(a)(2), (3), or (4) is eligible for the benefits provided by this Chapter.

...

(3) The cause of death of the law enforcement officer, correctional officer, probation officer, firefighter, volunteer firefighter, or rescue squad worker shall be verified by certification from the records of the Department of State Treasurer, the appropriate city or county law enforcement agency that employed the deceased, the administrative agency for the fire department or fire protection district recognized for funding under the Department of State Auditor, or the administrative agency having jurisdiction over any paid firefighters of all counties and cities.

...."

SECTION 1.1.(d) This section is effective when it becomes law and applies to waivers of tuition granted on or after that date.

MODIFY TECHNICAL REQUIREMENTS FOR ELECTRONIC MONITORING/SATELLITE-BASED MONITORING

SECTION 1.2.(a) G.S. 15A-101.1 reads as rewritten:

"§ 15A-101.1. Electronic technology in criminal process and procedure.

As used in this Chapter, in Chapter 7A of the General Statutes, in Chapter 15 of the General Statutes, and in all other provisions of the General Statutes that deal with criminal process or ~~procedure~~: procedure, the following definitions shall apply:

(1) ~~"Attach" or "attached" means, when Attach or attached.~~ – When referring to documents existing in paper form, physical attachment by staples, clips, or

1 other mechanical means, or managed such that neither document is stored or
2 delivered without the other. When referring to documents stored in electronic
3 form, the term means either storage as a single digital file or storage in a
4 manner that a user interface for access to the documents displays clearly the
5 logical association between them, to the exclusion of other, unassociated
6 documents displayed with them. When referring to documents delivered in
7 electronic form, the term means documents delivered simultaneously and via
8 the same mechanism or medium, including, but not limited to, any of the
9 following: (i) delivery via a single email message, (ii) delivery on a single unit
10 of removable electronic media, or (iii) delivery in immediate,
11 contemporaneous sequence with one another from the same source to the same
12 recipient. It is not necessary that the relationship between documents appear
13 on the face of the documents in order to be deemed attached.

14 (1a) ~~"Copy" means all Copy.~~ – All identical versions of a document created or
15 existing in paper or electronic form, including the original and all other
16 identical versions of the document. Except where otherwise expressly
17 provided by law or when authority is vested only in a certified copy, a copy
18 of a document is equally authoritative as the original.

19 (2) ~~"Document" means any Document.~~ – Any pleading, criminal process,
20 subpoena, complaint, motion, application, notice, affidavit, commission,
21 waiver, consent, dismissal, order, judgment, or other writing intended in a
22 criminal or contempt proceeding to authorize or require an action, to record a
23 decision or to communicate or record information. A document may be
24 created and exist in paper form or in electronic form or in both forms. Each
25 document shall contain the legible, printed name of the person who signed the
26 document.

27 (3) ~~"Electronic" means relating Electronic.~~ – Relating to technology having
28 electrical, digital, magnetic, wireless, optical, electromagnetic, Internet, or
29 similar capabilities.

30 (3a) ~~"Electronic monitoring" or "electronically monitor" or "satellite based~~
31 ~~monitoring" means monitoring Electronic monitoring or electronically~~
32 ~~monitor or satellite-based monitoring.~~ – Monitoring with an electronic
33 monitoring device that is not removed from a person's body, that is utilized by
34 the supervising agency in conjunction with a Web-based computer system that
35 actively monitors, identifies, tracks, and records a person's location at least
36 once every minute 24 hours a day, ~~that has a battery life of at least 48 hours~~
37 ~~without being recharged,~~ that timely records and reports or records the
38 person's presence near or within a crime scene or prohibited area or the
39 person's departure from a specified geographic location, and that has
40 incorporated into the software the ability to automatically compare crime
41 scene data with locations of all persons being electronically monitored so as
42 to provide any correlation daily or in real time. In areas of the State where lack
43 of cellular coverage requires the use of an alternative device, the supervising
44 agency shall use an alternative device that works in concert with the software
45 and records location and tracking data for later download and crime scene
46 comparison.

47 (4) ~~"Electronic Repository" means an Electronic repository.~~ – An automated
48 electronic repository for criminal process created and maintained pursuant to
49 G.S. 15A-301.1.

50 ...

- 1 (6) ~~"Entered" means signed~~ Entered. – Signed and filed in the office of the clerk
- 2 of superior court of the county in which the document is to be entered. A
- 3 document may be entered in either paper form or electronic form.
- 4 (7) ~~"Filing" or "filed" means:~~ Filing or filed. –
- 5 ...
- 6 (8) ~~"Issued" applies~~ Issued. – Applies to documents in either paper form or
- 7 electronic form. A document that is first created in paper form is issued when
- 8 it is signed. A document that is first created in electronic form is issued when
- 9 it is signed and filed in the office of the clerk of superior court of the county
- 10 for which it is to be issued.
- 11 (9) ~~"Original" means:~~ Original. –
- 12 ...
- 13 (10) ~~"Signature" means any~~ Signature. – Any symbol, including, but not limited to,
- 14 the name of an individual, which is executed by that individual, personally or
- 15 through an authorized agent, with the intent to authenticate or to effect the
- 16 issuance or entry of a document. A document may be signed by the use of any
- 17 manual, ~~mechanical~~ mechanical, or electronic means that causes the
- 18 individual's signature to appear in or on the document. Any party challenging
- 19 the validity of a signature shall have the burden of pleading, producing
- 20 evidence, and proving that the signature was not the act of the person whose
- 21 signature it appears to be."

22 **SECTION 1.2.(b)** This section is effective when it becomes law and applies to an
 23 electronic monitoring device used on or after that date.

24
 25 **MODIFICATION OF POST-RELEASE SUPERVISION REQUIREMENTS**

26 **SECTION 1.3.(a)** G.S. 143B-1491(d) reads as rewritten:

27 "(d) The granting, denying, revoking, or rescinding of parole, the authorization of
 28 work-release privileges to a prisoner, or any other matters of business coming before the
 29 Commission for consideration and action shall be decided by majority vote of the full
 30 Commission, except that a three-member panel of the Commission may ~~set the terms and~~
 31 ~~conditions for a post release supervisee under G.S. 15A-1368.4 and may decide questions of~~
 32 ~~violations thereunder, violations, including the issuance of warrants.~~ warrants, and may decide
 33 questions of parole under G.S. 20-179(p). Any single member of the Commission may set and
 34 modify the terms and conditions for a post-release supervisee under G.S. 15A-1368.4, may
 35 authorize the issuance of a letter of reprimand, and may continue an offender's supervision. In
 36 the event of a tie in a vote by the full Commission, the chair shall break the tie with an additional
 37 vote."

38 **SECTION 1.3.(b)** This section is effective when it becomes law and applies to
 39 actions taken by the Commission on or after that date.

40
 41 **PART II. INSTITUTIONS**

42
 43 **SEXUALLY VIOLENT PREDATOR DETERMINATIONS**

44 **SECTION 2.1.(a)** G.S. 14-208.20(b) reads as rewritten:

45 "(b) Prior to sentencing a person as a sexually violent predator, the court shall order a
 46 presentence investigation in accordance with G.S. 15A-1332(c). However, the study of the
 47 defendant and whether the defendant is a sexually violent predator shall be conducted by a board
 48 of experts selected by the Division of Prisons of the Department of Adult Correction. The board
 49 of experts shall be composed of at least four people. Two of the board members shall be experts
 50 in the field of the behavior and treatment of sexual offenders, one of whom shall be selected from
 51 a panel of experts in those fields provided by the North Carolina Medical Society and not be

1 employed full-time with the Division of Prisons of the Department of Adult Correction or
 2 employed on a full-time basis with any other State agency. One of the board members shall be a
 3 victims' rights advocate, and one of the board members shall be a representative of law
 4 enforcement agencies."

5 **SECTION 2.1.(b)** This section becomes effective December 1, 2026, and applies to
 6 boards of experts selected on or after that date.

8 **INCREASE LIMIT ON PURCHASES FROM CORRECTION ENTERPRISES**

9 **SECTION 2.2.** G.S. 148-132 reads as rewritten:

10 **"§ 148-132. Distribution of products and services.**

11 The Division of Correction Enterprises of the Department of Adult Correction is empowered
 12 and authorized to market and sell products and services produced by Correction Enterprises to
 13 any of the following entities:

14 ...

- 15 (5) Any current employee or retiree of the State of North Carolina, member,
 16 employee, or retiree of the North Carolina National Guard, or of a unit of local
 17 government of this State, verified through federal or State-issued
 18 identification, or through proof of retirement status, but purchases by a State
 19 employee or retiree, National Guard member, employee, or retiree, or local
 20 governmental employee or retiree may not exceed ~~two thousand five hundred~~
 21 ~~dollars (\$2,500)~~ four thousand dollars (\$4,000) during any calendar year.
 22 Products purchased by State employees or retirees, National Guard members,
 23 employees or retirees, and local governmental employees and retirees under
 24 this section may not be resold.

25"

27 **AUTHORIZE SUBSTANCE ABUSE ASSESSMENTS AND ADETS BY DAC**

28 **SECTION 2.3.(a)** G.S. 122C-3 reads as rewritten:

29 **"§ 122C-3. Definitions.**

30 The following definitions apply in this Chapter:

31 ...

- 32 (14) Facility. – Any person at one location, or in the case of an opioid treatment
 33 program facility licensed to operate an opioid treatment program medication
 34 unit, an opioid treatment program mobile unit, or both, any person at one or
 35 more locations, whose primary purpose is to provide services for the care,
 36 treatment, habilitation, or rehabilitation of individuals with mental illnesses or
 37 intellectual or other developmental disabilities or substance abusers, and
 38 includes all of the following:

39 ...

- 40 j. Any facility operated by the Department of Adult Correction that
 41 provides alcohol and drug education traffic school or substance abuse
 42 assessments under G.S. 122C-142.1.

43"

44 **SECTION 2.3.(b)** G.S. 122C-142.1 reads as rewritten:

45 **"§ 122C-142.1. Substance abuse services for those convicted of driving while impaired or** 46 **driving while less than 21 years old after consuming alcohol or drugs.**

47 (a) Services. – An area authority shall provide, directly or by contract, the substance
 48 abuse services needed by a person to obtain a certificate of completion required under
 49 G.S. 20-17.6 as a condition for the restoration of a drivers license. A person may obtain the
 50 required services from an area facility, from a private facility authorized by the Department to
 51 provide this service, or, with the approval of the Department, from an agency that is located in

1 another state. An eligible person housed in a facility operated by the Department of Adult
2 Correction may obtain the required services from the Department of Adult Correction.

3 ...

4 (a2) Authorization of Department of Adult Correction. – The Department shall authorize
5 approved facilities operated by the Department of Adult Correction to provide substance abuse
6 services needed to obtain a certificate of completion to a person housed in that facility if all of
7 the following requirements are met:

8 (1) The Department of Adult Correction notifies the Department of the designated
9 facilities which may provide the services.

10 (2) Assessments and alcohol and drug education traffic (ADET) school provided
11 by the Department of Adult Correction under this subsection comply with
12 rules adopted under the North Carolina Administrative Code, including
13 placement criteria, documentation, and reporting requirements, and adhere to
14 Department of Adult Correction security and custody policies.

15 (3) No fee, tuition, or charge is imposed upon an individual for an assessment or
16 ADET school provided directly by the Department of Adult Correction
17 pursuant to this subsection. The Department of Adult Correction shall be
18 responsible for any costs associated with purchasing required curriculum
19 materials.

20 (4) Services delivered by the Department of Adult Correction under this
21 subsection are exempt from licensure under Article 2 of this Chapter and are
22 covered by the exclusions in G.S. 122C-22(a)(10).

23 ...

24 (f) Fees. – A person who has a substance abuse assessment conducted for the purpose of
25 obtaining a certificate of completion shall pay to the assessing agency a fee of one hundred dollars
26 (\$100). A person shall pay to a school a fee of one hundred sixty dollars (\$160.00). A person
27 shall pay to a treatment facility a fee of seventy-five dollars (\$75.00). If the defendant is treated
28 by an area mental health facility, G.S. 122C-146 applies after receipt of the seventy-five dollar
29 (\$75.00) fee.

30 A facility that provides to a person who is required to obtain a certificate of completion a
31 substance abuse assessment, an ADET school, or a substance abuse treatment program may
32 require the person to pay a fee required by this subsection before it issues a certificate of
33 completion. As stated in G.S. 122C-146, however, an area facility may not deny a service to a
34 person because the person is unable to pay.

35 A facility shall remit to the Department ten percent (10%) of each fee paid to the facility
36 under this subsection by a person who attends an ADET school conducted by the facility. The
37 Department may use amounts remitted to it under this subsection only to support, evaluate, and
38 administer ADET schools.

39 Substance abuse services provided by the Department of Adult Correction shall not charge a
40 fee to the individual or require a fee to be paid to the Department. The Department of Adult
41 Correction shall be responsible for any costs associated with purchasing required curriculum
42 materials.

43"

44 **SECTION 2.3.(c)** G.S. 143B-1455 is amended by adding a new subsection to read:

45 "(g) The Program may provide substance abuse assessments and alcohol and drug
46 education traffic (ADET) school to eligible individuals housed in a facility operated by the
47 Department of Adult Correction, consistent with the applicable State laws, Administrative Code
48 provisions, and prison policy."

49
50 **PART III. OFFICE OF STAFF DEVELOPMENT AND TRAINING (OSDT)**
51

1 **VESTED PROBATION AND PAROLE OFFICERS MAINTAIN ELIGIBILITY FOR**
2 **SUPPLEMENTAL RETIREMENT WHEN SERVING IN CERTAIN ROLES**

3 **SECTION 3.1.(a)** G.S. 135-1(17a) reads as rewritten:

4 "(17a) "Probation/Parole Officer" shall mean a full-time paid employee of the
5 Division of Community Supervision and Reentry of the Department of Adult
6 Correction whose duties include supervising, evaluating, or otherwise
7 instructing offenders who have been placed on probation, parole, or
8 post-release supervision or have been assigned to any other community-based
9 program operated by the Division of Community Supervision and
10 ~~Reentry-Reentry~~, or a full-time paid employee of the Department of Adult
11 Correction's Office of Staff Development and Training who is certified as a
12 Probation/Parole Officer and works exclusively in a training role."

13 **SECTION 3.1.(b)** This section is effective when it becomes law and applies to
14 determinations under Article 1 of Chapter 135 of the General Statutes made on or after that date.
15

16 **PART IV. REDUCE MEETING REQUIREMENT OF STATE REENTRY COUNCIL**
17 **COLLABORATIVE**

18 **SECTION 4.1.** G.S. 143B-1484(b) reads as rewritten:

19 "(b) The Secretary, or the Secretary's designee, shall chair the SRCC which shall meet at
20 least ~~quarterly~~ annually upon the call of the chair. The SRCC shall study the needs of
21 ex-offenders who have been recently released from a correctional institution and to increase the
22 effectiveness of local reentry councils."
23

24 **PART V. TECHNICAL CORRECTIONS**

25
26 **POST-RELEASE SUPERVISION ELIGIBILITY AND PROCEDURE**

27 **SECTION 5.1.(a)** G.S. 15A-1368.2(c1) reads as rewritten:

28 "(c1) Notwithstanding subsection (c) of this section, a person required to submit to
29 satellite-based monitoring pursuant to G.S. 15A-1368.4(b1)(6) shall continue to participate in
30 satellite-based monitoring beyond the period of post-release supervision until the ~~Commission~~
31 superior court in the county where the conviction occurred releases the person from that
32 requirement pursuant to G.S. 14-208.43."
33

34 **SECTION 5.1.(b)** This section is effective when it becomes law and applies to
35 satellite-based monitoring releases ordered on or after that date.

36 **EXCLUDE DEPARTMENT OF ADULT CORRECTION INVESTIGATIONS FROM**
37 **CERTAIN INFORMATION TECHNOLOGY RESTRICTIONS**

38 **SECTION 5.2.(a)** G.S. 143-805(d) reads as rewritten:

39 "(d) Subsections (a) and (b) of this section shall not apply to an official or employee that
40 is engaged in any of the following activities in the course of that official's or employee's official
41 duties:

42 ...

43 (8) Investigating matters involving offenders incarcerated with, or otherwise
44 under the supervision of, the Department of Adult Correction or matters
45 related to the misuse of devices owned by the Department of Adult
46 Correction."

47 **SECTION 5.2.(b)** This section is effective when it becomes law and applies to
48 investigations occurring before, on, or after that date.
49

50 **CLARIFY PROBATION AND PAROLE RECORDS ACCESS FOR CHEROKEE AND**
51 **CATAWBA MARSHALS SERVICES**

1 **SECTION 5.3.** G.S. 1E-20 reads as rewritten:

2 "**§ 1E-20. Cherokee and Catawba Marshals Services.**

3 ...

4 (c) Notwithstanding any other provision of law, marshals of the Cherokee Marshals
5 Service shall have access to all probation and parole records of the North Carolina Department
6 of ~~Public Safety~~ Adult Correction to the same extent as a probation or post-release supervision
7 officer of the Department for any person over which the Cherokee Tribal Courts have jurisdiction
8 to proceed in a criminal case and impose a sentence, including a fine, community service, or
9 imprisonment. The Department may enter into a memorandum of understanding addressing the
10 specifics of transferring information to the Cherokee Tribal Courts.

11 ...

12 (f) Notwithstanding any other provision of law, Marshals of the Catawba Indian Nation
13 shall have access to all probation and parole records of the North Carolina Department of ~~Public~~
14 ~~Safety~~ Adult Correction to the same extent as a probation or post-release supervision officer of
15 the Department for any person with the Catawba Nation Tribal Courts have jurisdiction to
16 proceed in a criminal case and impose a sentence, including a fine, community service, or
17 imprisonment. The Department may enter into a memorandum of understanding addressing the
18 specifics of transferring information to the Catawba Nation Tribal Courts."

19
20 **PART VI. SEVERABILITY AND EFFECTIVE DATE**

21
22 **SEVERABILITY CLAUSE**

23 **SECTION 6.1.** If any part, section, or provision of this act is declared
24 unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or
25 any part other than the part declared to be unconstitutional or invalid.

26
27 **EFFECTIVE DATE**

28 **SECTION 6.2.** Except as otherwise provided, this act is effective when it becomes
29 law.