



REPORT OF NORTH CAROLINA CRIMES TO THE CRIMINAL RECODIFICATION WORKING GROUP

PREPARED BY
NORTH CAROLINA ADMINISTRATIVE OFFICE OF THE COURTS
JANUARY 31, 2019



About the North Carolina Judicial Branch

The mission of the North Carolina Judicial Branch is to protect and preserve the rights and liberties of all the people as guaranteed by the Constitutions and laws of the United States and North Carolina by providing a fair, independent and accessible forum for the just, timely and economical resolution of their legal affairs.

About the North Carolina Administrative Office of the Courts

The mission of the North Carolina Administrative Office of the Courts is to provide services to help North Carolina's unified court system operate more efficiently and effectively, taking into account each courthouse's diverse needs, caseloads, and available resources.

INTRODUCTION

The North Carolina General Assembly established the Criminal Law Recodification Working Group in 2017. This informal group, co-chaired by Representative Dennis Riddell and Senator Andy Wells, has been tasked with developing strategies to streamline and simplify the state's criminal code. In 2018, the General Assembly enacted S.L. 2018-69 which requires multiple agencies to provide information to the Working Group. Specifically, the legislation requires the Administrative Office of the Courts (AOC) to identify and list all state crimes that meets one or more of the following criteria:

- (1) The statute is duplicative.
- (2) The statute is inconsistent with other statutes, rarely charged, fails to state a mens rea, or contains undefined terms.
- (3) The statute appears to be obsolete.
- (4) The statute has been held to be unconstitutional by an appellate court.

The legislation requires AOC to submit this list to the Joint Legislative Administrative Procedure Oversight Committee and the Joint Legislative Oversight Committee on Justice and Public Safety no later than February 1, 2019.



DEFINITIONS

AOC has adopted the following definitions for use in identifying crimes that meet one or more of the criteria for inclusion in the report:

“Rarely charged” – A crime with a statewide charge total of fewer than 100 charges in a calendar year. [Note: A “rarely charged” designation, in itself, does not mean that a statute is unnecessary.]

“Duplicative” – A criminal statute that criminalizes the same or very similar conduct of a separate criminal offense.

“Inconsistent” – A criminal statute with an offense level that appears to be inconsistent with the offense levels of crimes covering similar conduct.

“Obsolete” – A criminal statute that criminalizes conduct that is either i) anachronistic; or ii) has become common and accepted in modern society, as defined by Black’s Law Dictionary.

“Unconstitutional” – A criminal statute that has been specifically held unconstitutional by an appellate court. This definition also includes statutes with a strong likelihood of unconstitutionality based upon prevailing federal and state caselaw.

“Undefined terms” – A criminal statute that contains terms that are not specifically defined nor whose meaning is made clear in context.



TABLE 1

LIST OF NORTH CAROLINA COMMON LAW CRIMES AND CRIMES DEFINED IN THE NORTH CAROLINA GENERAL STATUTES,



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	FAIL TO FILE/PAY SALES TAX	105-236	6	X					
F	ATTEMPT TO EVADE OR DEFEAT TAX	105-236(A)(7)	0	X					
M	FAIL TO WITHHOLD TAX	105-236(A)(8)	27	X					
F	TAX FRAUD BY PREPARER < \$100K	105-236(A)(9A)	4	X					
M	SET FIRE 500FT WOODLAND NO PER	106-942(B)	27	X					
M	IGN MAT 500FT WOOD NIGHT NO PE	106-943(B)	20	X					
M	OPEN BURNING WHEN PROHIBITED	106-944	1	X					
M	BURN WHEN BURN PERM CANCELLED	106-946	28	X					
M	PUBLIC ASSISTANCE FRAUD (M)	108A-39(A)	0	X					X
F	PUBLIC ASSISTANCE FRAUD (F)	108A-39(B)	6	X					X
M	FOOD STAMP FRAUD (M)	108A-53	1	X					
F	BUY/SELL/DISTRIB FOOD STAMPS	108A-53.1(A)	85	X					
M	ILLEG POSS/USE FOOD STAMPS(M)	108A-53.1(B)	1	X					
F	ILLEG POSS/USE FOOD STAMPS(F)	108A-53.1(B)	7	X					
F	MEDICAL PROVIDER FRAUD	108A-63(C)	91	X					
F	DEFRAUD/OBT MNYP/PROP MED AST	108A-63(E)	5	X					
F	CONSP DEF/OBT MNYP/PROP MED AST	108A-63(E)	71	X					
F	MED ASSIST RECIPIENT FRAUD-F	108A-64(C)(1)	25	X					
M	MED ASSIST RECIPIENT FRAUD-M	108A-64(C)(2)	15	X					



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M	NOTARY NO KNOW/EVID IDENTITY	10B-60(C)(3)	96	X					
M	CHILDCARE SUBSIDY FRAUD=<\$1000	110-107(A)	37	X					
F	CHILDCARE SUBSIDY FRAUD>\$1000	110-107(A)	1	X					
F	PROVIDE CHILD CARE W/O LICENSE	110-99	1	X					
M	FISH WITH UNLAWFUL BAIT	113-134	60	X					
M	EXCEED LIMIT SHELLFISH BY<=20%	113-134.1	7	X					
M	EXCEED LIMIT SHELLFISH BY >20%	113-134.1	27	X					
M	EXCEED LIMIT FINFISH BY<=50%	113-134.1	10	X					
M	EXCEED LIMIT OF FINFISH BY>50%	113-134.1	14	X					
M	TRAWL IN CLOSED AREA	113-134.1	2	X					
M	TAKE/POS FINFISH CLSD SEAS/DAY	113-134.1	2	X					
M	GILL NET/EQUIP/OPER VIOLATIONS	113-134.1	7	X					
M	POSS FINFISH W/O HEAD/TAIL	113-134.1	69	X					
M	OYS/CLAM/MUS W/O HARVEST TAG	113-134.1	28	X					
M	REPORTING/TRIP TICKET VIOL	113-134.1	8	X					
M	TAKE CLAM MECH MTHD CLSD AR/SE	113-134.1	34	X					
M	TAKE/POSS UNDERSIZE OYS <=20%	113-134.1	15	X					
M	TAKE/POSS UNDERSIZE OYS >20%	113-134.1	53	X					
M	TAKE/POSS UNDERSIZE CRAB <=20%	113-134.1	24	X					



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M	TAKE/POSS UNDERSIZE CRAB >20%	113-134.1	20	X					
M	TAKE/POS UNDRSIZE FINFISH<=20%	113-134.1	4	X					
M	TAKE/POS UNDRSIZE FINFISH>20%	113-134.1	20	X					
M	USE CRAB POTS CLOSED SEASON	113-134.1	5	X					
M	LEAVE POT/GILL NET UNATTENDED	113-134.1	27	X					
M	USE GILL NETS W/O BUOY/IDENT	113-134.1	3	X					
M	USE POTS W/O BUOY/IDENT	113-134.1	59	X					
M	POSS NATURAL BAIT/TROUT WATERS	113-135	81	X					
M	DRIVE ON GAMELANDS ILLEGALLY	113-135	3	X	X				
M	CRAB OR CRAB POT VIOLATION	113-135(A)	1	X					
M	POUND NET OR STAKES VIOLATION	113-135(A)	5	X					
M	TAKE/POSS UNDERSIZE FISH	113-135(A)	94	X					
M	TAKE/POSS UNDERSIZE FLOUNDER	113-135(A)	35	X					
M	TAKE/POSS UNDERSIZE OYSTERS	113-135(A)	0	X					
M	TAKE/POSS UNDERSIZE RED DRUM	113-135(A)	18	X					
M	TAKE/POSS UNDERSIZE SPOT TROUT	113-135(A)	8	X					
M	TAKE/POSS UNDERSIZE STRPD BASS	113-135(A)	20	X					
M	TAKE/POSS UNDERSIZE WEAKFISH	113-135(A)	1	X					



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M	SOLELY VIOLATION RULES OF WRC	113-135.1(A)	3	X					
M	FISH W/O HAVE LIC/ASSIGN/ENDOR	113-168.1	3	X					
M	REFUSE EXHIBIT LIC/ASSGN/ENDOR	113-168.1	2	X					
M	EXCEED PERSONAL SHELLFISH LIMT	113-169.2(I)	8	X					
M	REC FISH COM EQUIP WO GEAR LIC	113-173(A)	45	X					
M	RECREATIONAL FISH W/O LICENSE	113-174.1(A)	2	X					
M	TAKE SHRIMP IN CLOSED AREA	113-187	5	X					
M	TAKE SHELLFISH POLLUTED WATER	113-187(D)(1)	2	X					
M	OPERT ATV SANDHILLS/GAMELAND	113-264	82	X					
M	TAKE GAME DURING CLOSED SEASON	113-264(A)	9	X					
M	BOAT ACCESS AREA-OTHER PURPOSE	113-264(A)	25	X					
M	BOAT ACCESS IMPEDE BY OBSTRUCT	113-264(A)	10	X					
M	LITTER GAMELAND/ACCESS AREA	113-264(A)	7	X					
M	HUNTING WITHOUT A LICENSE-NR	113-270.1B(A)	1	X					
M	FISHING WITHOUT A LICENSE	113-270.1B(A)	2	X					
M	TRAP WITHOUT A LICENSE	113-270.1B(A)	2	X					
M	HUNT/FISH/TRAP-NO GAME LICENSE	113-270.3	2	X					
M	TAKE MIG WATERFOWL W/O LIC	113-270.3(B)(5)	2	X					



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FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	FISHING WITHOUT A LICENSE	113-271	3	X					
M	NO TROUT LICENSE - NR	113-272	5	X					
M	NO TROUT LICENSE	113-272	80	X					
M	FISH W/SPECIAL DEVICE W/O LIC	113-272.2	23	X					
M	ENGAGE REG ACT NO LIC/PERMIT	113-272.5	13	X					
M	ENGAGE WRC ACT NO LIC/PERMIT	113-274	0	X					
M	HUNT/FISH POST PROP NO PERMIT	113-285	6	X					
M	NEGLIGENT HUNTING	113-290.1	63	X					
M	EXCEEDING GAME LIMIT	113-291	10	X					
M	HUNT FROM MOTOR VEHICLE	113-291.1(B)(1)	4	X					
M	SHINE/SWEEP LIGHT FOR DEER	113-291.1(E1)	24	X					
M	SET TRAP W/O MET TAG ATTACHED	113-291.6(B)	1	X					
M	FISH TROUT WATER CLOSED SEASON	113-292	1	X					
M	POSS <=3 MTN TROUT CLOSED SEAS	113-292	40	X					
M	UNLAWFUL TAKING OF FISH	113-292(A)(1)	44	X					
M	USE TROTLINE W/ LIVE BAIT	113-292(A)(1)	41	X					
M	FAIL MARK TROTLINE W/NAME/ADD	113-292(A)(1)	83	X					
M	FAIL RETURN GAME FISH UNHARMED	113-292(A)(1)	12	X					
M	POSSESS <5 UNDERSIZE FISH	113-292(A)(3)	2	X					
M	POSS <=3 FISH OVER CREEL LIMIT	113-292(A)(3)	49	X					



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M	SELLING/BUYING WILDLIFE	113-294	3	X					
M	POSS DEER TAKEN CLOSED SEASON	113-294(D)	19	X					
M	CAMPING VIOLATIONS	113-35(A)	1	X					
M	BEING INTOXICATED IN A PARK	113-35(A)	78	X					
M	FAIL TO REPORT FOR TB TREATMENT	130A-144(F)	85	X					
M	PUBLIC HEALTH VIOLATION	130A-25	1	X					
M	SEWAGE DISPOSAL VIOLATION	130A-335	19	X					
M	REMOVE/ETC. POLITICAL SIGN VIOL	136-32	10	X					
M	EXCEED BRIDGE LOAD LIMIT	136-72	77	X					
M	PUT INJURIOUS OBJECT IN ROAD	136-91	63	X					
F	PROMOTE PROSTITUTION-ADVANCE	14-05.3(A)(1)	19	X					
F	OBT PROP FALSE PRET >=\$100,000	14-100	28	X					
M	OBTAIN ID USING FALSE INFO	14-100.1(B)	2	X					
M	OBTAIN PROPERTY WORTHLESS CHK	14-106	18	X	X				
M	WORTHLESS CHECK	14-107	3	X	X				
M	WORTHLESS CHK 4TH SUB OFFENSE	14-107(D)(1)	86	X	X				
M	WORTHLESS CHECK NO ACCOUNT	14-107(D)(3)	1	X	X				
M	FALSE TELEPHONE CREDIT	14-113.1	2	X					
F	TRAFFICKING STOLEN IDENTITIES	14-113.20A	5	X					
F	CARD THEFT W/SCANNING DEVICE	14-113.9(A)(5)	13	X					



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FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	FRAUD DISPOSAL MORTGAGE PROP	14-114	98	X					X
M	SECRETING LIEN PROPERTY	14-115	28	X					
M	FALSE ADVERTISING	14-117	2	X					
M	BLACKMAILING	14-118	34	X					
M	THEFT OF CABLE TV SERVICE	14-118.5	31	X					
F	FALSE LIEN FILINGS	14-118.6(A)	37	X					
F	AID & ABET FORGERY	14-119(A)	31	X					
M	ATTEMPTED UTTERING	14-120	32	X					
F	FORGERY OF DEEDS OR WILLS	14-122	0	X					
M	INJURY TO TREES/CROPS/LANDS	14-128	38	X					
F	UTTERING COUNTERFEIT COIN	14-13	27	X					
M	DEFACING PUBLIC BUILDING	14-132(A)(2)	1	X					
M	TRESPASS/IMPEDE SCHOOL BUS	14-132.2	12	X					
F	DOM CR TRESPSS SAFE HOUSE WEAP	14-134.3(B)	89	X					
M	SET FIRE TO WOODS/LANDS/FIELDS	14-137	3	X					
M	FAIL TO EXTINGUISH FIRE	14-138.1	10	X					
F	FELONY SERIOUS INJURY BY VEHICLE	20-141.4(A3)	269						X
M	INJURE BUILDING/FENCE/WALL(M)	14-144(1)	3	X					
F	INJURE BUILDING/FENCE/WALL(F)	14-144(2)	3	X					
M	DEFACE GRAVE/GRAVE SITE (M)	14-148	72	X					
F	DESECRATE GRAVE SITE >=\$1000	14-148(C)	95	X					



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F	DISTURB CASKET/GRAVE MARKER	14-149(A)	75	X					
M	DIVERTING UTILITY USE	14-151	36	X					
F	RECONNECT UTILITY 2ND/SUB OFF	14-151(A)(9)	49	X					
F	RECONNECT UTILITY SIG PROP DAM	14-151(A)(9)	89	X					
M	INTERFERE WITH UTILITY METER	14-151.1	3	X					
F	INJURING UTILITY WIRES/FIXTURE	14-154	10	X					
M	FIRST DEG TRESP-INFRASTRUCT-M	14-159.12(C)	10	X					
F	FIRST DEG TRESP-INFRASTRUCT-F	14-159.12(D)	33	X					
F	FIRST DEG TRESP/SQUATTING	14-159.12(F)	79	X					
M	TRESPASS W/ALL TERRAIN VEH	14-159.3	15	X					
F	INJ PROP OBT NONFERR METAL-F	14-159.4(B)	40	X					
F	INJ PROP NONFERR METAL>=10000	14-159.4(B)	45	X					
M	INJ PROP OBT NONFERR METAL-M	14-159.4(B)	22	X					
M	INJ PROP NONFERR METAL-INFRAST	14-159.4(B)	91	X					
M	TRESPASS ON POSTED PROPERTY	14-159.6	9	X		X			
F	ASSAULT EXEC LEGL COURT OFFCR	14-16.6	34	X					X
F	THREATEN EXEC LEGL COURT OFFCR	14-16.7	0	X					X
F	THREAT RETAL VS PUB OFF	14-16.7	2	X					
M	ALTER/REMOVE NMV SERIAL NUMBER	14-160.1(A)	9	X					



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M	POSS/SELL/BUY ALT NMV SER NO	14-160.1(B)	28	X					
F	ALTERING FIREARM SERIAL NUMBER	14-160.2(A)	230						X
M	HIRING WITH INTENT TO DEFRAUD	14-168	2	X					
M	MISDEMEANOR CONVERSION	14-168.1	37	X					
M	ATT CRIME AGAINST NATURE (M)	14-177	74	X					
M	SOLICIT CRIME AGAINST NATURE	14-177	1	X					
F	FELONY INCEST	14-178	75	X					
F	INCEST CHILD 13/14/15 DEF >= 6	14-178(B)(1)(B)	37	X					
F	VOLUNTARY MANSLAUGHTER	14-18	8	X					
F	BIGAMY	14-183	60	X					
M	FORNICATION AND ADULTERY	14-184	94	X			X	X	
M	FALSE HOTEL REGISTRATION	14-186	7	X			X		
M	KEEPING A DISORDERLY HOUSE	14-188	47	X			X		
M	DISPLAY MATERIAL HARMFUL MINOR	14-190.14	14	X					
M	DISSEM MTRL/PERFORM HARMFL MIN	14-190.15	12	X					
F	DISCLOSE PRIVATE IMAGES/ADULT	14-190.5A(B)	1	X					
M	USE OF PREMISES INDEC EXPOSURE	14-190.9	16	X					
M	INDECENT LANGUAGE OVER TELEPHONE	14-196(a)(1)	0	X				X	
M	ELEC. COMM. TO THREATEN OR EXTORT	14-196.3(B)(1)	2,423						X



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M	MISDEMEANOR SECRET PEEPING	14-202	30	X					
F	SOLICIT CHILD BY COMPUTER	14-202.3(A)	25	X					
F	INDECENT LIBERTIES STUDENT	14-202.4(B)	24	X					
F	SEX OFFENDER SOCIAL NETWORKING	14-202.5	0	X				X	
M	AID AND ABET PROSTITUTION	14-204	29	X					
F	SOLICIT PROSTITUTION 2ND/SUB	14-205.1	30	X					
F	SOLICIT PROSTITUTION MINOR	14-205.1	24	X					
M	PATRONIZE PROSTITUTE ENGAGE-M	14-205.2(A)(1)	1	X					X
F	PATRONIZE PROST ENGAGE MINOR	14-205.2(A)(1)	35	X					X
M	PATRONIZE PROSTITUTE ENGAGE-M	14-205.2(A)(2)	83	X					X
F	PROMOTE PROST-ADVANCE PRIOR	14-205.3(A)(1)	41	X					X
F	PROMOTE PROSTITUTION-PROFITS	14-205.3(A)(2)	2	X					X
F	PROMOTE PROST-PROFITS PRIOR	14-205.3(A)(2)	1	X					X
F	PROM PROST MNR/MNT DISA ADV	14-205.3(B)(1)	27	X					X
F	PROM PROST MNR/MNT DISA PROF	14-205.3(B)(2)	5	X					X
F	PROM PROST CNFINE MNR/MNT DISA	14-205.3(B)(3)	25	X					X
F	FAIL REPT SEX OFFEN NON-COMPLY	14-208.11A(A)	4	X					
F	SEX OFFENDER EMPLOYMENT VIOL	14-208.17(A)	11	X					



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F	CHILDCARE IN SEX OFFENDER HOME	14-208.17(B)	6	X					
F	FAIL ENROLL SEX OFFEN SBM PROG	14-208.44(A)	5	X					
F	REMOVE/TAMPER SEX OFFEN SBM	14-208.44(B)	1	X					
M	FAIL PROVIDE INFO/COMPLY SBM	14-208.44(C)	37	X					
F	PERJURY	14-209	8	X					
F	SUBORNATION OF PERJURY	14-210	2	X					
F	OFFERING BRIBES	14-218	1	X					
F	ALTER COURT DOCUMENTS	14-221.2	6	X					
M	RESIST/OBSTRUCT PUBLIC OFFICER	14-223	4	X					
F	FALSE REP LAW ENF CHILD VICTIM	14-225(B)	8	X					
F	HARASSMENT OF JUROR	14-225.2	2	X					
F	MURDER OF AN UNBORN CHILD	14-23.2(A)	17	X					
F	INV MANSLAUGHTER UNBORN CHILD	14-23.4(A)	8	X					
F	ASSAULT ISBI UNBORN CHILD	14-23.5(A)	21	X					X
M	WILLFUL FAIL DISCHARGE DUTIES	14-230	1	X					
M	FAILURE OF RAILROAD OFFICER TO ACCT	14-253	0	X			X		
F	CORPORATE MALFEASANCE	14-254	1	X					
M	ESCAPE BY HIRED PRISONER	14-255	75	X					
M	MISDEMEANOR ESCAPE LOCAL JAIL	14-256	15	X					
F	FELONY ESCAPE LOCAL JAIL	14-256	9	X					



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FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	PROV TOBAC/VAPOR PROD INMATE	14-258.1(C)	1	X					
F	PROVIDING PHONE/ELEC TO INMATE	14-258.1(D)	1	X					
M	INMATE POSS TOBACCO/PHONE ELEC	14-258.1(E)	47	X					
F	POSS PHONE/COMM DEV BY INMATE	14-258.1(F)	6	X					
F	TAKING HOSTAGE BY PRISONER	14-258.3	10	X					
F	FELONY HARBORING ESCAPEE	14-259	0	X					
M	HARBORING FUGITIVE	14-267	1	X					
M	GUN ETC ON EDUC PROP (M)	14-269(2)F	95	X					
F	DISCHARGE FIREARM ON EDUC PROP	14-269.2(B)	80	X					X
M	POSS WEAPON STATE PROP/CRTHOUS	14-269.4	1	X					
F	PURCH FIREARM VIOL DOM ORDER	14-269.8	90	X					
F	ATTEMPT 1ST DEGREE RAPE	14-27.2	94	X					
F	FIRST DEGREE RAPE CHILD	14-27.2(A)(1)	8	X					
F	ATMPT 1ST DEGREE FORCIBLE RAPE	14-27.21	1	X					
F	ATMPT 2ND DEGREE FORCIBLE RAPE	14-27.22	4	X					
F	ATMPT 1ST DEGREE FORCE SEX OFF	14-27.26	84	X					
F	ATMPT 2ND DEGREE FORCE SEX OFF	14-27.27	67	X					
F	ATTEMPT SECOND DEGREE RAPE	14-27.3	69	X					
F	SEX ACT: SUB PARENT/CUSTODIAN	14-27.31(A)	39	X					



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F	ATT SEX ACT-SUB PAR/CUSTODIAN	14-27.31(A)	53	X					
F	SEX ACT-GOV/PRIV INST EMPLOYEE	14-27.31(B)	3	X					
F	SEX OFFENSE INSTITUTION	14-27.7(A)	58	X					
F	ATT SEX OFFENSE-PARENTAL ROLE	14-27.7(A)	51	X					
F	SEX OFFENSE STUDENT (F)	14-27.7(B)	55	X					
F	STAT RAPE/SEX OFFN DEF>4-<6YR	14-27.7A(B)	10	X					
M	IMPERSON EMS PERSONNEL/FIREMAN	14-276.1	11	X					
M	IMPERSONATE LAW ENFORCEMNT (M)	14-277	3	X					
F	OPERATE VEH WITH BLUE LIGHT	14-277(A)(4)	38	X					
F	BLUE LIGHT CAUSE STOP/YIELD	14-277(B)(5)	61	X					
F	FALSE RPT MASS VIOL EDUC PROP	14-277.5	2	X					
F	WILLFUL INJURY RAILROAD PROP	14-278	8	X					
M	INJURY TO RAILROAD PROPERTY	14-279	23	X					
M	IMPEDE/PREVENT/IMPAIR OPER RR	14-279.1	1	X					
F	MALICIOUS CASTRATION	14-28	17	X					
M	FALSE AMBULANCE REQUEST	14-286.1	33	X					
F	FELONY INCITING TO RIOT	14-288.2	1	X					
M	DISORDERLY CONDUCT FUNERAL	14-288.4(A)(8)	59	X					
M	FAIL TO DISPERSE ON COMMAND	14-288.5	15	X					
M	TRESPASS DURING EMERGENCY (M)	14-288.6(A)	22	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
F	TRESPASS DURING EMERGENCY (F)	14-288.6(B)	1	X					
F	AWDW EMERGENCY PERSON	14-288.9	0	X					X
F	ASSAULT ON EMERGENCY PERSONNEL	14-288.9	98	X					X
F	CASTRATION WITHOUT MALICE	14-29	43	X					
F	MAIMING WITHOUT MALICE	14-29	32	X					
M	SELLING LOTTERY TICKETS	14-291	29	X					
M	POSSESSION OF LOTTERY TICKETS	14-291.1	6	X					
M	ALLOW GAMBLING IN PUBLIC HOUSE	14-293	27	X					
M	ALLOW GAMING TABLES	14-297	3	X					
F	MALICIOUS MAIMING	14-30	11	X					
F	THROWING ACID OR ALKALI	14-30.1	61	X					
M	OPERATE/POSSESS SLOT MACHINE	14-301	5	X					
M	OPER/POSSESS GAMBLING DEVICES	14-302	70	X					
M	MANUFACTURE/SELL SLOT MACH (M)	14-304	1	X					
M	OTHER VIDEO GAME MACH VIOL (M)	14-306.1	4	X					
M	OPERATE VIDEO GAMING MACHINE	14-306.1A(A)	54	X					
F	OPER VIDEO GAMING MACH 2 OFF	14-306.1A(A)	44	X					
F	OPER >=5 VIDEO GAMING MACH	14-306.1A(A)	1	X					
M	ELECTRONIC SWEEPSTAKES	14-306.4(B)	1	X					
F	MALICIOUS ASSAULT IN SECRET	14-31	15	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	SELL/DIS TOBACCO PROD TO MINOR	14-313	1	X					
M	PURCHASE/RECV CIG/TOBACCO < 18	14-313(C)	2	X					
M	SELL/GIVE WEAPON TO MINOR (M)	14-315(A)	3	X					
F	SELL/GIVE HANDGUN TO MINOR	14-315(A1)	8	X					
M	PERMIT CHILDREN USE FIREARMS	14-316	6	X					
M	EXPOSING CHILDREN TO FIRE	14-318	6	X					
F	FELONY CHILD ABUSE	14-318.4	3	X					
F	FELONY CHILD ABUSE-PROSTITUTN	14-318.4(A1)	1	X					
F	FAIL REPORT CHILD DISAPPEAR-F	14-318.5(B)	1	X					
F	FELONY ASSAULT ON HANDICAPPED	14-32.1(E)	3	X					
F	PATIENT ABUSE AND NEGLECT(F)	14-32.2(A)	2	X					X
F	ABUSE DISABLE/ELDER SER INJ	14-32.3(A)	52	X					
F	ABUSE DISABLE/ELDER WITH INJ	14-32.3(A)	4	X					
F	NEGLECT DISABLE/ELDER SER INJ	14-32.3(B)	7	X					
F	NEGLECT DISABLE/ELDER WITH INJ	14-32.3(B)	1	X					
F	ASSAULT IBI BY STRANGULATION	14-32.4(B)	2405						X
F	FELONY CUSTODY ORDER VIOLATION	14-320.1	2	X					
M	IV-D NONSUPPORT SPOUSE	14-322(B)	43	X					
M	NONSUPPORT SPOUSE	14-322(C)	20	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	NON-SUPPORT OF CHILD	14-322(D)	11	X					
M	NONSUPPORT CHILD	14-322(D)	33	X					
M	IV-D NONSUPPORT CHILD	14-322(D)	2	X					
M	NON IV-D NONSUPPORT OF CHILD	14-322(D)	60	X					
F	ABANDON CHILD FOR 6 MONTHS	14-322.1	1	X					
M	ASSAULT INFLICT SERIOUS INJURY	14-33(B)(1)	2	X	X				
M	ASSAULT ON A FEMALE	14-33(B)(2)	42	X	X				
M	ASSAULT - SPORTS OFFICIAL	14-33(B)(9)	15	X	X				
M	ASSAULT ATTEMPT SERIOUS INJ(M)	14-33(C)(1)	20	X	X				
M	ASSAULT SCHOOL EMPL/VOLUNT	14-33(C)(6)	27	X	X				
M	ASSAULT PUBLIC TRANSIT OPERATR	14-33(C)(7)	24	X	X				
F	DISCHARGE BARREL FIREARM OCC. PROP.	14-34.1(A)	1105						X
F	DISCHARGE FIREARM ENCL FEAR	14-34.10	32	X					
F	ASLT FIREARM/DW COMP/CAMP POL	14-34.2	16	X					
F	ADULTERATED OR MISBRANDED FOOD	14-34.4(A)	6	X					
F	ASSAULT LEO/PO/OTHER W FIREARM	14-34.5	23	X					X
F	ASSAULT LEO/PO W/FIREARM	14-34.5(A)	5	X					X
F	ASSAULT EMERG PRSNL IBI/WDW	14-34.6	61	X					X
F	ASSAULT LEO/PO/OTHER SER INJRY	14-34.7	89	X					
F	ASSAULT DETENT EMP SER INJ	14-34.7(B)	4	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
F	DISCHARGE FIREARM ENCLOSURE	14-34.9	8	X					
M	SCALPING TICKETS	14-344	15	X		X			
F	KILL ANIMAL BY STARVATION (F)	14-360(A1)	1	X					
M	INSTIGATE CRUELTY TO ANIMALS	14-361	12	X					
F	COCKFIGHTING	14-362	40	X					
F	DOG FIGHTING	14-362.2	0	X					
M	UNLAWFUL WEAR OF AMER LEGION EMBLE	14-395	0	X		X	X		
M	LITTERING 15 - 500 LBS	14-399(D)	13	X					
F	COMMERCIAL LITTERING	14-399(E)	2	X					
F	LITTERING HAZARDOUS WASTE	14-399(E)	0	X					
F	LITTERING > 500 LBS	14-399(E)	0	X					
M	POS ALCOHOL IN STATE PARK	143B-135.16	62	X					
M	CAMPING VIOLATIONS	143B-135.16	77	X					
M	ENT/REM PK BEF/AFT HRS W/O PER	143B-135.16	1	X					
M	ALL ANIMAL UNATT/UNLEASH PARK	143B-135.16	10	X					
M	REMOVE/DISTURB/ETC PLANT/ROCK	143B-135.16	93	X					
M	SWIM/WADE/BATHE UNDESIGN AREA	143B-135.16	45	X					
M	PUBLIC NUDITY IN PARKS	143B-135.16	18	X					
M	ENT/REM PK BEF/AFT HRS W/O PER	143B-135.16	9	X					
M	DRIVE VEH IN PK NOT DES VEH TR	143B-135.16	1	X					
M	DR UNLIC VEH/MTR/MN-BIKE IN PK	143B-135.16	1	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	PARK IN UNDESIGNATED AREAS	143B-135.16	68	X					
M	LEV VEH UNATT>12 HR/ONGT NO PT	143B-135.16	0	X					
M	OBSTRUCT TRAFFIC IN A PARK	143B-135.16	31	X					
M	BOAT/RAFT/CANOE IN SWIM AREA	143B-135.16	25	X					
M	SET FIRE UNDESIGNATED PLACE	143B-135.16	64	X					
M	SET FIRE WHEN PROH BY PARK EMP	143B-135.16	0	X					
M	FAIL TEND FIRE DESIGNATED PLAC	143B-135.16	50	X					
M	PROD NOISE/MUS/ETC ANN/DIST PK	143B-135.16	45	X					
M	POSS/CONS/SALE ALC BEV IN PARK	143B-135.16	62	X					
M	POSS/CONS/SALE CONT SUB PARK	143B-135.16	96	X					
M	BEING INTOXICATED IN A PARK	143B-135.16	21	X					
M	ALL ANIMAL SWIM/BATH/REST/CAB	143B-135.16	38	X					
M	ALL ANIMAL UNATT/UNLEASH PARK	143B-135.16	99	X					
M	ALL ANIMAL OUT VEH/TENT 9P-7A	143B-135.16	47	X					
M	HARAS/DISTURB WILDLIFE/NEST/OT	143B-135.16	1	X					
M	IMPROPER ATTRACT/FEED WILDLIFE	143B-135.16	19	X					
M	ROCK CLMB/RPL UNAUTH PLC/NO PT	143B-135.16	7	X					
M	BOATING ACCESS AREA VIOL	143B-135.16	0	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	PARKING IN PRIV PARKING SPACE	14-401.9	0	X		X			
M	ETHNIC INTIMIDATION	14-401.14(A)	0	X					
M	TEACHING ETHNIC INTIMIDATION	14-401.14(B)	11	X					
F	CONTAMINATE FOOD/DRINK W/CS	14-401.16	0	X					
M	SELL CIGART PACK LABL ETC VIOL	14-401.18	12	X					
M	DEFRAUD DRUG/ALC TEST 1ST	14-401.20	41	X					
F	DEFRAUD DRUG/ALC TEST SUBOFN	14-401.20	3	X					
F	CONCEAL/FAIL REPORT DEATH	14-401.22(A)	84	X					
F	CONCL/FAIL REPORT DEATH CHILD	14-401.22(A1)	30	X					
F	DESTROY REMAINS CONCEAL DEATH	14-401.22(D)	0	X					
F	DEST BODY/REM CONC UNNAT DEATH	14-401.22(E)	16	X					
M	SELL/PURCHASE WEAPON NO PERMIT	14-402	0	X					
F	ABDUCTION OF CHILDREN	14-41	16	X					
M	POSSESSION OF PYROTECHNICS	14-410	90	X					
M	SALE PYROTECHNICS TO < 16 YR	14-410(B)	35	X					
M	CONC HANDGUN PROHIBIT PREMISE	14-415.11(C)(8)	0	X					
M	CONCEAL HANDGUN PERMIT VIOL(M)	14-415.21(B)	6	X					
F	HUMAN TRAFFICKING ADULT VICTIM	14-43.11(A)	0	X					
F	HUMAN TRAFFICKING CHILD VICTIM	14-43.11(A)	0	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
F	INVOL SERVITUDE CHILD VICTIM	14-43.12(A)	0	X					
F	SEXUAL SERVITUDE ADULT VICTIM	14-43.13(A)	0	X					
F	SEXUAL SERVITUDE CHILD VICTIM	14-43.13(A)	0	X					
F	FAIL DISCLOSE ORIGIN RECORDING	14-435(A)	69	X					
M	INTOXICATED AND DISRUPTIVE	14-444	91	X					
F	ACCESSING COMPUTERS (F)	14-454(A)	27	X					
M	ACCESSING COMPUTERS (M)	14-454(B)	43	X					
F	ACCESS GOVT COMPUTERS DEFRAUD	14-454.1(A)(1)	13	X					
F	DAMAGING COMPUTERS(F)	14-455(A)	3	X					
M	DAMAGING COMPUTERS(M)	14-455(A)	0	X					
M	COMPUTER TRESPASS (M)	14-458	30	X					
M	CYBER-BULLYING DEF =>18	14-458.1	65	X				X	
M	CYBER-BULLYING DEF <18	14-458.1	6	X				X	
M	RIDE ON TRAIN UNLAWFULLY	14-460	0	X					
F	MALICIOUS USE EXPLOSV INJURY	14-49(A)	14	X					
F	MALICIOUS USE EXPLOSV DAMG PRP	14-49(B)	80	X					
F	DAMAGE OCCUPIED PROP EXPLOSIVE	14-49.1	17	X					
F	PATTERN GANG ACTIVITY	14-50.16(A)(1)	60	X					
F	PATTERN GANG ACTIVITY-LEADER	14-50.16(A)(1)	89	X					
F	SOLICIT GANG ACTIVITY	14-50.17(A)	51	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
F	SOLICIT GANG ACTIVITY-MINOR	14-50.18(A)	12	X					
F	THREAT DETER GANG WITHDRAWAL	14-50.19(A)	21	X					
F	THREAT/DMG PUNISH GANG WITHDR	14-50.20(A)	19	X					
F	BREAK/ENTER W/ INTENT TO TERRORIZE	14-54(A1)	1141						X
F	BREAK/ENTER TRAILER/AIRCRAFT	14-56	5	X					
F	BREAK/ENTER BOAT	14-56	1	X					
M	DAMAGE COIN/CURRENCY MACHINE	14-56.2	0	X					
F	ARSON	14-58	41	X					
F	BURN CERTAIN PUBLIC BUILDINGS	14-59	48	X					
F	BURNING OF A SCHOOL HOUSE	14-60	14	X					
F	BURNING CERTAIN BUILDINGS	14-62	62	X					
F	BURNING BLDG UNDER CONSTRUCT	14-62.1	1	X		X			
F	BURN CHURCH/RELIGIOUS BLDG	14-62.2	17	X		X			
F	FRAUDULENTLY BURNING DWELLING	14-65	117	X					
F	FALSE BOMB REPORT	14-69.1	57	X					
F	FALSE BOMB REPORT PUBLIC BLDG	14-69.1(C)	1	X					
F	HOAX BY FALSE BOMB	14-69.2	28	X					
F	HOAX FALSE BOMB PUBLIC BLDG	14-69.2(C)	19	X					
F	ARSON RESULTING IN SI TO EMT OR FF	14-69.3	3	X					X
M	ACCESSORY AFTER THE FACT (M)	14-7	2	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
F	ARMED HABITUAL FELON	14-7.36	4	X					
F	VIOLENT HABITUAL FELON	14-7.7	79	X					
F	FEL LARCENY - >\$400	14-72(A)	50	X					
M	LARCENY OF MOTOR VEHICLE (M)	14-72(A)	17	X					
F	POSS/RCV STOLEN PROP CERT FEL	14-72(C)	0	X					
F	LARC MERCHANT EMERGENCY DOOR	14-72.11(1)	3	X					X
F	LARCENY DEFEAT ANTI-THEFT DEV	14-72.11(2)	1	X					X
F	LARC MERCHANT PROD CODE FRAUD	14-72.11(3)	1	X					X
F	LARCENY FROM CONSTRUCTION SITE	14-72.6(A)(1)	0	X					
F	POS/REC STOLEN PROP CONST SITE	14-72.6(A)(2)	0	X					
F	ALTER/DEST/ETC STOLEN MV/PART	14-72.7(A)	0	X					
F	PERMIT PLACE USED CHOP SHOP	14-72.7(A)(2)	0	X					
F	PUR/SELL/ETC MV/PART ALT ID	14-72.7(A)(3)	8	X					
F	PURCH/DISP/ETC MV/PART CHOP SH	14-72.7(A)(4)	74	X					
M	LARCENY OF PUBLIC RECORD	14-76	2	X					
M	LARCENY OF WILL	14-77	2	X					
M	TAKE HORSE/MULE/DOG TEMP PURP	14-82	0	X	X	X			
M	LAR/DESTRUCTION/VAN OF PORT TOILET	14-86.2	0	X		X			X
M	ESCAPE FROM STATE PRISON (M)	148-45(A)	0	X					
F	ESCAPE FROM STATE PRISON (F)	148-45(B)	42	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
F	ORGANIZED RETAIL THEFT	14-86.6(A)	85	X					
F	AID AND ABET ARMED ROBBERY	14-87	1	X					
F	EMBEZZLEMENT >=\$100,000	14-90	12	X					
F	EMBEZ STATE PROP >=\$100,000	14-91	0	X					
F	EMBEZZLEMENT-PUB OFF/TRUSTEES	14-92	36	X					
F	EMBEZ PUB OFF/TRST >=\$100,000	14-92	11	X					
M	SELL/CON ALC BEV AFTER HOURS	18B-1004	26	X					
M	ABC LAW VIOLATION	18B-102	5	X					
M	TRANSPORT NONTAXPAID ALC BEV	18B-111	7	X					
M	ALLOW CON MTBV/U-WN SUSP PERM	18B-300(A1)	1	X					
M	ALLOW CON MTBV/U-WN OFF PREM	18B-300(B)	4	X					
M	CON MTBV/U-WN PREM NO PERMIT	18B-300(B)	2	X					
M	POSS MBEV/UNFWN PROP TMP CLSD	18B-300(C)	4	X					
M	CONSUME/OFFER AT ABC STORE	18B-301(F)	5	X					
M	POSS/CONSUME AFTER PROHIBITED	18B-301(F)	18	X					
M	CON/OFFER ALC BEV PUBLIC ROAD	18B-301(F)(1)	25	X					
M	PUR/POSS BEER/WINE UNDERAGE	18B-302	6	X					
M	SELL F-WN/LQ/MIXBEV TO<21	18B-302(A)(2)	29	X					
M	PUR/ATT MTBV/U-WN NOT 19/20	18B-302(B)(1)	13	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	PUR MTBV/U-WN BY 19/20	18B-302(B)(1)	17	X					
M	ATT PUR MTBV/U-WN BY 19/20	18B-302(B)(1)	72	X					
M	PUR/ATT F-WN/LQ/MXBV < 21	18B-302(B)(2)	37	X					
M	AID UNDERAGE PUR ALC BY < 21	18B-302(C)(1)	85	X					
M	UNDERAGE AID/ABET POSS ALCOHOL	18B-302(C)(1)	1	X					
M	OBT/ATT OBT ALC OTHER DL	18B-302(E)(3)	1	X					
M	OBT/ATT OBT ALC OTHERS ID	18B-302(E)(4)	8	X					
M	OBT/ATT OBT ALC OTHER FORM ID	18B-302(E)(5)	33	X					
M	SELL/GIVE ALC TO INTOX PERSON	18B-305	56	X					
M	MANUFACTURE LIQUOR NO PERMIT	18B-307(B)	13	X					
M	TRANSPORT UN-FORT WINE NO PERM	18B-400	26	X					
M	TRANSPORT FRT WINE/LIQ NO PERM	18B-400	2	X					
T	TRANS ALC/CONTAINER NOT MANU	18B-401(A)	18	X					
M	DRINK BEER/WINE WHILE DRIVING	18B-401(A)	52	X					
T	DRIVE-CONS MALT BEV PASS AREA	18B-401(A)	73	X					
M	TRANSPORT IN FOR-HIRE VEHICLE	18B-401(B)	2	X					
M	BRING ALCOHOL INTO STATE VIOL	18B-402	2	X					
M	TRANSPORT>40 LIT FORT WINE/LIQ	18B-403(A)	4	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	TRANSPORT>AMT FORT WINE/LIQ	18B-403(A)	39	X					
M	TRANSPORT>100 LIT UNFORT WINE	18B-403(A)	8	X					
M	FAIL DISPLAY PERMIT LE REQUEST	18B-403(E)	12	X					
M	ILLEGAL TRANSPORT ALCOHOL BEV	18B-406	4	X					
M	SELL/BUY LOTTERY TIX<18	18C-131(D)	52	X					
T	FALSE REPORT OF THEFT OF MV	20-102.1	1	X					
F	MOTOR VEHICLE RENTAL FRAUD	20-106.1	1	X					
T	MV SUBLEASE VIOLATION (M)	20-106.2(B)	2	X					
T	TAMPERING WITH VEHICLE PARTS	20-107	25	X					
T	TAMPERING WITH VEHICLE STEAL	20-107(B)	4	X					
F	ALTERING SERIAL NUMBERS	20-109(B)	28	X					
T	ALLOW FICTITIOUS REG PLATE	20-111(2)	1	X					
T	FICT/CNCL/REV/ALT REG CARD/TAG	20-111(2)	5	X					
T	FICT/CNCL/REV REG CARD/TAG	20-111(2)	1	X					
T	FALSE APPLIC REG/TITLE	20-111(5)	14	X					
T	SEMITRAILER DRIVR VIOL <50 FT	20-115.1(I)	4	X					
T	SEMITRAILER DRIVR VIOL >=50 FT	20-115.1(I)	4	X					
T	DESIGNATED TRUCK ROUTE VIOL	20-116(H)	2	X					
T	IMPAIRED SUPERV/INSTRUCTION	20-12.1	0	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
T	TEXTING/EMAIL VIOL SCHOOL BUS	20-137.4A(A)	0	X					
T	DUI - ALCHOLIC BEVERAGE (R/83)	20-138(A)	0	X					
T	COMMERCIAL DWI UNDER INFLUENCE	20-138.2(A)(1)	73	X					
T	COMMERCIAL DWI >=.04	20-138.2(A)(2)	0	X					
T	CONSUME ALCOHOL COMM VEH	20-138.2A	3	X					
T	CONSUME ALCH SCH BUS/CHILD VEH	20-138.2B	0	X					
T	SPEED >=15 OVER CMV LOAD PRMT	20-141(J3)	14	X					
T	PREARRANGED SPEED COMPETITION	20-141.3(A)	20	X					
F	AGG FEL SER INJURY BY VEHICLE	20-141.4(A4)	58	X					
F	AGG FELONY DEATH BY VEHICLE	20-141.4(A5)	0	X					
F	REPEAT FELONY DEATH BY VEHICLE	20-141.4(A6)	25	X					
F	ELUDE ARREST MV CAUSE DEATH	20-141.5(A)	0	X					
F	ELUDE ARREST MV DEATH 2 AF	20-141.5(B)	0	X					
F	ELUDE ARREST MV DEATH >=3 AF	20-141.5(B)	50	X					
F	ELUDE ARRST MV 2 AGRVTG FCTRS	20-141.5(B)	1	X					
F	ELUDE ARRST MV >=3 AGRV FCTRS	20-141.5(B)	56	X					
M/F	AGG FAIL TO STOP FOR EMER VEHICLE	20-157(A)							X
T	FAIL COMPLY RESTRICTED DRIVING	20-16.1(B)	27	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
T	HIT-RUN PERSON FAIL STOP (F)	20-166(A)	13	X					
F	FEL HIT/RUN FAIL STOP PER INJ	20-166(A)	19	X					
T	HIT - RUN PROPERTY FAIL INFO	20-166(B)	84	X					
F	FEL HIT/RUN SER INJ/DEATH RV 1	20-166(E)	23	X					
F	FEL HIT/RUN SER INJ/DEATH RV 2	20-166(E)	51	X					
F	FEL HIT/RUN INJURY RV 1	20-166(E)	2	X					
F	FEL HIT/RUN INJURY RV 2	20-166(E)	18	X					
F	PASSENGER FLEE ACC INJ/DEATH	20-166.2(A)	4	X					
T	PASSENGER FAIL GIVE INFO/AID	20-166.2(B)	93	X					
T	FAIL WEIGH/ENTER WEIGH STATION	20-183.11	2	X					
T	SAFETY/EMISSION INSPECT-NO LIC	20-183.8(B1)	9	X					
F	FORGE INSPECT STICKER/RECEIPT	20-183.8(C)(1)	36	X					
F	B/I/S/P FORGED INSPECTION	20-183.8(C)(2)	4	X					
F	BUY/SELL ELE INSP VEH NOT PASS	20-183.8(C)(3)B	3	X					
F	SOLICIT/ACCEPT VALUE FAIL INSP	20-183.8(C)(4)	16	X					
F	PASS STOPPED BUS STRIKE PERSON	20-217(G)	63	X					
F	PASS STOP SCH BUS-CAUSE DEATH	20-217(G)	1	X					
T	A&A DWLR NOT IMPAIRED REV	20-28	1	X					
T	DRIVE CVEH CLIC DISQUALIFIED	20-28(D)	2	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
T	FAIL DISPLAY/ADVT LIC OR LIST	20-290	14	X					
T	ALLOW USE OF LICENSE OR PERMIT	20-30(2)	2	X					
T	DISPLAY ANOTHERS LIC AS OWN	20-30(3)	25	X					
T	OBTAIN DR LIC BY FRAUD	20-30(5)	1	X					
T	FICTITIOUS DRIVERS LICENSE	20-30(5)	97	X					
T	OBTAIN DR LICENSE BY FRAUD	20-30(5)	0	X					
F	SELL FALSE DRIVERS LIC/PERMIT	20-30(7)	32	X					
F	FALSE LIC/PERM IN COMMIT FEL	20-30(9)	97	X					
F	CHANGE OF MILEAGE VIOL	20-343	18	X					
T	COMM DL NOT IN POSSESSION	20-37.12(A)	30	X					
T	DR COM VEH W/O PROPER ENDORSE	20-37.12(A)	31	X					
T	CMV OUT-OF-SERVICE ORDER VIOL	20-37.12(B)	15	X					
T	SPECIAL ID FRAUD VIOLATION	20-37.8(A)	7	X					
F	SPECL ID FRAUD IN COMMIT FEL	20-37.8(B)	0	X					
T	FALSIFIED RECORD DUTY STATUS	20-396	65	X					
T	FAIL RET PREV 7 DY DUTY STATUS	20-396	0	X					
T	EVADE FMCR FAIL HAVE REC DUTY	20-396	70	X					
T	FMCR FAIL HAVE ORG/CPY MED CER	20-396	83	X					
T	RADAR DETECTOR COMM VEHICLE	20-396(A)	12	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
T	MOTOR CARRIER LOG BOOK VIOL	20-396(A)	43	X					
T	FAIL TO SURRENDER TITLE	20-59	24	X					
T	REG/TITLE ADDRESS CHANGE VIO	20-67	24	X		X			
T	LICENSE NOT IN POSSESSION	20-7(A)	77	X					
T	EXPIRED OPERATORS LICENSE	20-7(F)	5	X					
T	FAIL TO NOTIFY DMV ADDR CHANGE	20-7.1	41	X		X			
F	FALSE CERTIFICATION OF TITLE	20-72(B)	8	X					
T	IMPROPER USE DEALER PERMIT/TAG	20-79	57	X					
M	IV-D NONSUPPORT ILLEGIT CHILD	49-2	13	X					
M	NON IV-D NONSUPP ILLEGIT CHILD	49-2	23	X					
F	DVPO VIOL DEADLY WEAPON	50B-4.1(G)	40	X					
F	IMPROPER ENTRY OF DV SHELTER	50B-4.1(G1)	0	X					
F	BAIL BNDSMN FAIL RET SEC>\$1500	58-71-95(5)	55	X					
M	CONTEMPT BY PROBATIONER	5A-11(A)(9A)	2	X					
M	TRESPASS ON AIRPORT PROPERTY	63-26.1	49	X					
F	SECONDARY METALS RECYC VIOL-F	66-419(A)	6	X					
M	SECONDARY METALS RECYC VIOL-M	66-419(A)	34	X					
M	UNLAWFUL TRANSP/POSS COPPER-M	66-419(B)	16	X					
M	PERMITTING BITCH TO RUN AT LARGE	66-2	0	X			X		



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	SHEEP-KILLING DOGS TO BE KILLED	66-3	0	X			X		
M	FAILING TO KILL MAD DOG	67-4	0	X			X		
M	ALLOW DOG TO RUN AT NIGHT	67-12	3	X		X	X		
M	OPERATE BOAT RECKLESS MANNER	75A-10(A)	15	X					
M	MOTORVESSEL W/O LIFESAVING DEV	75A-6	6	X					
M	BOATING W/O REQ LIGHTS/EQUIP	75A-6	12	X					
F	SECURITIES FRAUD/VIOLATION	78A-8	1	X					
M	FAIL/PREVENT JUV ABUSE REPORT	7B-301(B)	87	X					
F	COUNTERFEIT TRADEMARK FEL	80-11.1(B)	1	X					
M	BARBERING W/O CERTIFICATE	86A-1	4	X					
M	NO BARBER SHOP/SCHOOL PERMIT	86A-1	6	X					
F	OBT CS PRESCRIP MISREP/WITHHLD	90-108(A)(13)	1	X					
M	POSS TOXIC VAPORS SUBSTANCE	90-113.11	7	X					
M	POSS DRUG PARAPHERNALIA	90-113.22	5	X					
M	EXCEED PSEUDO LIMITS	90-113.53	47	X					
M	EXCEED PSEUDO LIMITS 2 OFF	90-113.53	1	X					
F	EXCEED PSEUDO LIMITS 3+ OFF	90-113.53	3	X					
M	PRACTICE MEDICINE W/O LICENSE	90-18(A)	0	X					
F	PRACT MEDICINE W/ NON-NC LIC	90-18(A)	0	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	PRACTICE PHARMACY W/O LICENSE	90-85.21B	0	X					
F	P/W/I/D MARIJUANA	90-95(A)	3	X					
M	SIMPLE POSS COCAINE	90-95(A)	18	X					
F	MANUFACTURE MDPV	90-95(A)(1)	2	X					
F	PWISD MDPV	90-95(A)(1)	17	X					
F	PWIMSD MDPV	90-95(A)(1)	3	X					
F	PWISD MEPHEDRONE	90-95(A)(1)	0	X					
F	PWIMSD MEPHEDRONE	90-95(A)(1)	21	X					
F	SELL SYNTH CANNABINOID	90-95(A)(1)	8	X					
F	CONSP SELL SYNTH CANNABINOID	90-95(A)(1)	13	X					
F	DELIVER SYNTH CANNABINOID	90-95(A)(1)	2	X					
F	CONSP DEL SYNTH CANNABINOID	90-95(A)(1)	1	X					
F	PWISD SYNTH CANNABINOID	90-95(A)(1)	10	X					
F	PWIMSD SYNTH CANNABINOID	90-95(A)(1)	7	X					
F	SELL/DELIVER MEPHEDRONE	90-95(A)(1)	1	X					
F	SELL/DEL SYNTH CANNABINOID	90-95(A)(1)	10	X					
F	SELL SCH III CS	90-95(A)(1)	30	X					
F	SELL SCH IV CS	90-95(A)(1)	3	X					
F	SELL/DELIVER LSD	90-95(A)(1)	30	X					
F	DELIVER LSD	90-95(A)(1)	37	X					
F	DELIVER SCH I CS	90-95(A)(1)	2	X					
F	DELIVER SCH III CS	90-95(A)(1)	5	X					
F	DELIVER SCH IV CS	90-95(A)(1)	5	X					
F	MANUFACTURE SCH III CS	90-95(A)(1)	9	X					
F	MANUFACTURE SCH IV CS	90-95(A)(1)	3	X					
F	MANUFACTURE SCH V CS	90-95(A)(1)	27	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
F	PWIMSD SCH V CS	90-95(A)(1)	26	X					
F	CREATE COUNTERFEIT CS	90-95(A)(2)	1	X					
M	SIMPLE POSS MDPV-MISD	90-95(A)(3)	79	X					
M	ATTEMPT POSS MDPV-MISD	90-95(A)(3)	2	X					
F	ATTEMPT POSS MDPV-FELONY	90-95(A)(3)	2	X					
F	POSSESS MDPV-FELONY	90-95(A)(3)	12	X					
F	POSSESS MEPHEDRONE	90-95(A)(3)	1	X					
F	FEL POSS SYNTHETIC CANNABINOID	90-95(A)(3)	2	X					
M	SYNTH CANNABINOID POSS>7-21G	90-95(A)(3)	0	X					
M	ATT POSS SYNTH CANNABIN<=7G	90-95(A)(3)	5	X					
M	ATT POSS SYNTH CANNABIN>7-21G	90-95(A)(3)	3	X					
F	FELONY POSSESSION SCH III CS	90-95(A)(3)	1	X					
F	POSSESSION OF LSD	90-95(D)(1)	0	X					
F	POSS/DIST PRECURSOR CHEMICAL	90-95(D1)	3	X					
F	PWIM PRECURSOR-NOT METH	90-95(D1)(1)A	1	X					
F	POSS/DISTR PRECURSOR-NOT METH	90-95(D1)(1)B	6	X					
F	SELL OR DELIV CS MINOR >13-<16	90-95(E)(5)	51	X					
F	SELL OR DELIV CS MINOR <=13	90-95(E)(5)	13	X					
F	POSS CS W/IN 300 FT OF SCHOOL	90-95(E)(8)	2	X					
F	S/D CS W/IN 300 FT OF SCHOOL	90-95(E)(8)	21	X					
F	TRAFFIC SYNTH CANNABINOID	90-95(H)(1A)	2	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
F	TRAFFICK IN AMPHETAMINE	90-95(H)(3C)	12	X					
F	TRAFFICKING MDPV	90-95(H)(3D)	1	X					
F	TRAFFICKING IN LSD	90-95(H)(4A)	17	X					
F	CONSPIRE TRAFFIC LSD	90-95(I)	2	X					
F	CONSPIRE TRAFFIC MDA/MDMA	90-95(I)	0	X					
F	CONTINUING CRIMINAL ENTERPRISE	90-95.1	5	X					
F	CS HIRE/USE MINOR >13 DEF >=21	90-95.4(B)(1)	66	X					
F	PARTICIP IN DRUG VIOL BY MINOR	90-95.7	1	X					
F	CONSP SELL/DELIVER SCH III CS	90-98	19	X					
F	CONSP SELL/DELIVER SCH IV CS	90-98	1	X					
F	CONSP SELL/DELIVER SCH V CS	90-98	51	X					
F	ATTEMPTED POSSESSION COCAINE	90-98	1	X					
F	CONSPIRE DELIVER METH	90-98	2	X					
F	CONSPIRE SELL MARIJ	90-98	0	X					
F	CONSPIRE SELL HEROIN	90-98	7	X					
F	CONSPIRE SELL SCH I CS	90-98	3	X					
F	CONSPIRE SELL SCH VI CS	90-98	93	X					
F	CONSPIRE DELIVER MARIJ	90-98	18	X					
F	CONSPIRE DELIVER COCAINE	90-98	52	X					
F	CONSPIRE DELIVER HEROIN	90-98	44	X					
F	CONSPIRE DELIVER SCH I CS	90-98	3	X					
F	CONSPIRE DELIVER SCH VI CS	90-98	59	X					



Table 1: List of North Carolina Common Law Crimes and Crimes Defined in the NC General Statutes

FMTI	Offense Title	Code Citation	Statewide Charge Total	Rarely Charged	Duplicative	Inconsistent	Obsolete	Unconstitutional	Undefined Terms
M	GIVING FALSE INFO TO ESC	96-18	12	X					
M	MISREP TO PREVENT ESC BENEFIT	96-18(B)	89	X					
F	ATTEMPTED MURDER	COMMON LAW	17	X					
F	ATTEMPTED KIDNAPPING	COMMON LAW	6	X					
F	CONSP ARMED ROBBERY BUS/PERS	COMMON LAW	45	X					
F	COMMON LAW UTTERING (F)	COMMON LAW	1	X					
M	FORCIBLE TRESPASS	COMMON LAW	65	X					



TABLE 2

PRESENCE OF MENS REA IN FELONIES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
1 st Degree Murder	14-17(a)	YES
1 st Degree Murder (child dies as a result of injuries)	14-17(c)	YES ONLY because the murder is either (a) or (b)
Murder of an unborn child	14-23.2(a)(1) and (2)	YES both
Unlawful use of a nuclear, biological, or chemical weapon of mass destruction; punishment (injures another).	14-288.22(a)	YES
Murder in the 2nd degree (except as provided in (b)(1) and (2)).	14-17(b)	YES (reckless and wanton)
Murder in the 2nd degree (except as provided in (b)(1) and (2)) (child born alive but dies as a result of injuries prior to birth).	14-17(c)	YES
1st degree forcible rape.	14-27.21	NO implied "forcible" but NO specific mens rea
Statutory rape of a child by an adult.	14-27.23	NO strict liability crime (stat rape)
1st degree statutory rape.	14-27.24	NO strict liability crime (stat rape based on ages)
Statutory rape of person who is 15 years of age or younger (defendant is at least at least 12 years old and at least six years older than victim).	14-27.25(a)	NO Strict liability (stat rape [marriage exception])
1st degree forcible sexual offense. (Was G.S. 14-4(a)(2))	14-27.26	NO implied "forcible"
Statutory sexual offense with a child by an adult.	14-27.28	NO strict liability (stat sex offense with a child)
1st degree statutory sexual offense.	14-27.29	NO strict liability (stat sex offense child's age)
Statutory sexual offense with a person who is 15 years of age or younger (defendant is at least at least 12 years old and at least six years older than victim).	14-27.30(a)	NO stat sex offense (unless married exception)



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Incest (child is under 13 and person is at least 12 and at least four years older than child; child is 13, 14, or 15 and person is at least six years older than the child).	14-178(b)(1)	NO related persons is enough
Unlawful manufacture, assembly, possession, storage, transportation, sale, purchase, delivery, or acquisition of a nuclear, biological, or chemical weapon of mass destruction; exceptions; punishment.	14-288.21	YES
Unlawful use of a nuclear, biological, or chemical weapon of mass destruction; punishment (attempts, solicits, conspires to injure another).	14-288.22(b)	NO "attempt or solicit"
Unlawful use of a nuclear, biological, or chemical weapon of mass destruction; punishment (deposits for delivery).	14-288.22(c)	NO
Murder in the 2nd degree (unlawful killing with depraved heart malice, or by distribution of listed substance).	14-17(b)(1) or (2)	YES
Murder in the 2nd degree (unlawful killing with depraved heart malice, or by distribution of listed substance) (child born alive but dies as result of injuries prior to birth).	14-17(c)	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Murder of an unborn child (fetal death caused by act that is inherently dangerous to life and done so recklessly and wantonly to reflect disregard for life).	14-23.2(a)(3)	YES
Human trafficking (victim is minor).	14-43.11	YES
Child abuse inflicting serious bodily injury.	14-318.4(a3)	YES
Felony and misdemeanor death by vehicle; felony serious injury by vehicle; aggravated offenses; repeat felony death by vehicle (repeat felony death by vehicle).	20-141.4(a6)	NO "repeat felony" procedural
Death or serious injury by impaired boating; repeat offenses (repeat death by impaired boating).	75A-10.3(e), (f)(1)	NO "repeat felony" procedural
Armed habitual felon.	14-7.36	NO "habitual felon"
2nd degree forcible rape.	14-27.22	NO implied "forcible"
Statutory rape of person who is 15 years of age or younger (defendant is at least 12 years old and more than four but less than six years older than victim).	14-27.25(b)	NO strict liability stat rape
2nd degree forcible sexual offense.	14-27.27	NO implied "forcible"
Statutory sexual offense with a person who is 15 years of age or younger (defendant is at least 12 years old and more than four but less than six years older than victim).	14-27.30(b)	NO strict liability
Malicious castration.	14-28	YES
Malicious maiming.	14-30	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Assault with deadly weapon with intent to kill inflicting serious injury.	14-32(a)	NO "assaults" as a verb but NO
Patient abuse and neglect, intentional conduct proximately causes death.	14-32.2(b)(1)	NO
Discharging certain barreled weapons or a firearm into occupied property (results in serious bodily injury).	14-34.1(c)	NO "if a person violates" strict liability
Adulterated or misbranded food, drugs, etc.; intent to cause serious injury or death; intent to extort.	14-34.4	NO "with intent to cause serious injury"
Kidnapping in the 1st degree.	14-39	NO "unlawfully confine" "without consent"
Human trafficking (victim is adult)	14-43.11	YES
Involuntary servitude (victim is minor)	14-43.12	YES
Sexual servitude (victim is minor).	14-43.13	YES
Larceny by servants and other employees (amount involved \$100,000 or more).	14-74	NO
Embezzlement of property received by virtue of office or employment (amount involved \$100,000 or more).	14-90	YES
Embezzlement of State property by public officers and employees (amount involved \$100,000 or more).	14-91	YES
Embezzlement of funds by public officers and trustees (amount involved \$100,000 or more).	14-92	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Embezzlement by treasurers of charitable and religious organizations (amount involved \$100,000 or more).	14-93	NO
Embezzlement by officers of railroad companies (amount involved \$100,000 or more).	14-94	NO
Appropriation of partnership funds by partner to personal use (amount involved \$100,000 or more).	14-97	NO
Embezzlement by surviving partner (amount involved \$100,000 or more).	14-98	YES
Embezzlement of taxes by officers (amount involved \$100,000 or more).	14-99	NO strict liability
Obtaining property by false pretenses (amount involved \$100,000 or more).	14-100	YES
Contaminating a public water system.	14-159.1	YES
Incest (child is 13, 14, or 15 and person is more than four but less than six years older than the child).	14-178(b)(2)	NO strict liability incest (with age specifications)
1st degree sexual exploitation of a minor.	14-190.16	YES
Promoting prostitution of a minor.	14-190.18	Repealed (14-190.19 as well)
Promoting prostitution (minor or mentally disabled person).	14-205.3(b)(3), (d)	YES
Promoting prostitution (minor or mentally disabled person) (second or subsequent conviction)	14-205.3(b), (d)	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Distribution of certain food at Halloween and all other times prohibited (poisonous chemical/foreign substance).	14-401.11(b)(3)	YES
Embezzlement of closing funds by settlement agent (amount involved \$100,000 or more).	45A-8	NO
Misapplication, embezzlement of funds, etc. (amount involved \$100,000 or more).	53-129	NO
Misapplication, embezzlement of funds.	53C-8-11	NO
Embezzlement by insurance agents, brokers, or administrators (amount involved \$100,000 or more).	58-2-162	NO
Criminal penalties (violations of 78A-8, -11, -13, or -14 (Securities Act)) (resulting loss is \$100,000 or more).	78A-57(a2)	YES
Criminal penalties (violations of 78C-8(a)(1), (a)(2), or (b) (Investment Advisors)) (resulting loss is \$100,000 or more).	78C-39(a2)	YES
Criminal penalties (Commodities Act) (resulting loss is \$100,000 or more).	78D-24	YES
Manufacture of methamphetamine.	90-95(b)(1a)	NO
Selling or delivering a controlled substance by a person 18 or over to a person under 13.	90-95(e)(5)	NO
Trafficking in methamphetamine (400 grams or more).	90-95(h)(3b)c	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Trafficking in MDPV (400 grams or more).	90-95(h)(3d)c	NO
Trafficking in mephedrone (400 grams or more).	90-95(h)(3e)c	NO
Trafficking in opium or heroin (28 grams or more).	90-95(h)(4)c	NO
Continuing criminal enterprise.	90-95.1	NO
Penalties (Funeral and Burial Trust Funds; amount involved \$100,000 or more).	90-210.70(a)	YES
Penalties (contribution tax return preparer aids or assists in filing false or fraudulent return to evade unemployment insurance contributions and amount involved is \$100,000 or more).	96-18(b1)	YES
Penalties (income tax return preparer aids or assists in filing fraudulent returns and amount is \$100,000 or more).	105-236(a)(9a)a	YES
Criminal Violation of Article 9 (Hazardous waste).	130A-26.1(i)(1)	YES
Enforcement procedures: criminal penalties (Pollution Control, Animal Waste Management Systems).	143-215.6B(h)(1)	YES
Enforcement procedures: criminal penalties (Oil pollution and hazardous substance control).	143-215.88B(f)(1)	YES
Enforcement procedures: criminal penalties (Hazardous substances).	143-215.94X(c)(1)	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Enforcement procedures; criminal penalties (dry-cleaning solvents; knowing and willful violation, place person in danger of death/serious bodily injury).	143-215.104Q(c)	YES
Enforcement procedures: criminal penalties (Air pollution control).	143-215.114B(h)(1)	YES
Continuing criminal enterprise (terrorism).	14-7.20(a1)	NO
Voluntary manslaughter.	14-18	NO punishments only
Voluntary manslaughter of an unborn child.	14-23.3	NO
Discharging certain barreled weapons or a firearm into occupied property (occupied dwelling/occupied conveyance in operation).	14-34.1(b)	YES
Sexual servitude (victim is adult).	14-43.13	YES
Malicious use of explosive or incendiary.	14-49(a)	YES
Malicious damage of occupied property by use of explosive or incendiary.	14-49.1	YES
Burglary in the 1st degree.	14-51	NO because of the definition of burglary
Breaking out of dwelling house burglary.	14-53	NO
Burglary with explosives.	14-57	NO
Arson in the 1st degree.	14-58	NO
Burning of mobile home, manufactured-type house or recreational trailer home.	14-58.2	YES
Robbery with firearms or other dangerous weapons.	14-87	NO
Train robbery.	14-88	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Interfering with gas, electric and steam appliances or meters; penalties (resulting in death).	14-151(d)(4)	YES
Cutting, mutilating, defacing, or otherwise injuring property to obtain Nonferrous metals (results in death of another).	14-159.4(c)(4)	YES
Patronizing a prostitute (prostitute mentally disabled).	14-205.2	YES
Promoting prostitution (minor or mentally disabled person).	14-205.3(b)(1) or (2), (d)	YES
Child abuse inflicting serious injury.	14-318.4(a)	YES
Child abuse (prostitution).	14-318.4(a1)	NO mens rea in (a) section
Child abuse (sexual act).	14-318.4(a2)	NO mens rea in (a) section
Concealment of death; disturbing human remains; dismembering human remains (attempt to conceal evidence of Non-natural death by dismembering or destroying remains).	14-401.22(e)	NO
Making a false report concerning a nuclear, biological, or chemical weapon of mass destruction; punishment; restitution.	14-288.23	YES
Perpetrating hoax by use of false nuclear, biological, or chemical weapon of mass destruction; punishment; restitution.	14-288.24	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Felony and misdemeanor death by vehicle; felony serious injury by vehicle; aggravated offenses; repeat felony death by vehicle (felony death by vehicle).	20-141.4(a1)	YES “unintentionally” but “impaired driving” also.
Felony and misdemeanor death by vehicle; felony serious injury by vehicle; aggravated offenses; repeat felony death by vehicle (aggravated felony death by vehicle).	20-141.4(a5)	YES “unintentionally” but “impaired driving” also.
Death or serious injury by impaired boating; repeat offenses (death by impaired boating).	75A-10.3(a), (f)(2)	YES “unintentionally” but “impaired driving” also.
Death or serious injury by impaired boating; repeat offenses (aggravated death by impaired boating).	75A-10.3(d), (f)(1a)	YES related to the larger section-(a)
Selling or delivering a controlled substance by a person 18 or over to a person under 16 but more than 13 or a pregnant female.	90-95(e)(5)	NO strict liability
Trafficking in marijuana (10,000 pounds or more).	90-95(h)(1)d	NO sentencing statute
Trafficking in synthetic cannabinoid (3750 dosage units or more).	90-95(h)(1a)d	NO volume/sentencing statute
Trafficking in methaqualone (10,000 or more dosage units).	90-95(h)(2)c	NO volume/sentencing statute
Trafficking in cocaine (400 grams or more).	90-95(h)(3)c	NO volume/sentencing statute
Trafficking in Lysergic Acid Diethylamide (1,000 or more dosage units).	90-95(h)(4a)c	NO volume/sentencing statute
Trafficking in MDA/MDMA (1000 or more dosage units/400 grams or more).	90-95(h)(4b)c	NO volume/sentencing statute



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Promoting drug sales by a minor.	90-95.6	YES
Sentencing of status offenders (Habitual breaking and entering).	14-7.31	NO Status Offender sentencing
Sexual activity by a substitute parent or custodian (parent).	14-27.31(a)	NO
Sexual activity by a substitute parent or custodian (custodian).	14-27.31(b)	NO
Castration or other maiming without malice aforethought.	14-29	YES
Malicious throwing of corrosive acid or alkali.	14-30.1	YES
Maliciously assaulting in a secret manner.	14-31	YES
Assault with deadly weapon inflicting serious injury.	14-32(b)	NO punishment statute
Assault with deadly weapon with intent to kill.	14-32(c)	NO punishment statute
Patient abuse and neglect, culpably negligent conduct proximately causes death.	14-32.2(b)(2)	NO
Discharging certain barreled weapons or a firearm into occupied property.	14-34.1	YES
Assault with a firearm on a law enforcement officer, probation or parole officer, or on a member of the North Carolina National Guard, or on a person employed at a State or local detention facility.	14-34.5	NO
Discharging a firearm from within an enclosure.	14-34.9	YES
Kidnapping in the 2nd degree.	14-39	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Malicious use of explosive or incendiary (building of worship).	14-49(b1)	YES
Malicious use of explosive or incendiary (government building).	14-49(b2)	YES
Burning of churches and certain other religious buildings.	14-62.2	YES
Arson or other unlawful burning that results in serious injury to a firefighter or emergency medical technician.	14-69.3	YES
Trafficking in stolen identities.	14-113.20A,-113.22	NO for both
Penalty for violation of Article (Residential Mortgage Fraud Act - pattern of residential mortgage fraud).	14-118.15(b)	NO
2nd degree sexual exploitation of a minor.	14-190.17	YES
Solicitation of prostitution (prostitute mentally disabled).	14-205.1	NO
Promoting prostitution (second or subsequent conviction for violation)	14-205.3(a)(c)	YES
Failure to enroll; tampering with device (tamper).	14-208.44(b)	YES
Child abuse (willful act or grossly negligent omission which shows a reckless disregard for human life and results in serious bodily injury to the child).	14-318.4(a4)	NO
Unlawful possession and use of unmanned aircraft systems (weapon attached).	14-401.24(a)	NO strict liability



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Felony and misdemeanor death by vehicle; felony serious injury by vehicle; aggravated offenses; repeat felony death by vehicle (aggravated felony serious injury by vehicle).	20-141.4(a4)	YES
Speeding to elude arrest (violation of subsection (b) is proximate cause of death).	20-141.5(c)	NO
Death or serious injury by impaired boating; repeat offenses (aggravated serious injury by impaired boating).	75A-10.3(c), (f)(3)	NO
Manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver a controlled substance within 1,000 feet of a child care center, elementary or secondary school.	90-95(e)(8)	NO Sentencing Statute
Manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver a controlled substance within 1,000 feet of a playground in a public park.	90-95(e)(10)	NO age requirement
Trafficking in methamphetamine (200 grams or more, less than 400 grams).	90-95(h)(3b)b	NO strict liability >28
Trafficking in amphetamine (400 grams or more).	90-95(h)(3c)c	NO strict liability >400 grams
Trafficking in MDPV (200 grams or more, less than 400 grams).	90-95(h)(3d)b	NO strict liability > 200 but < 400
Trafficking in mephedrone (200 grams or more, less than 400 grams).	90-95(h)(3e)b	NO strict liability >14 but < 28



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Trafficking in opium or heroin (14 grams or more, less than 28 grams).	90-95(h)(4)b	NO
Violations; civil penalties; appeal; criminal penalties (violations of Article 14B - Amusement Device Safety Act of North Carolina, resulting in serious injury or death).	95-111.13(j)	YES
Violations; civil penalties; appeal; criminal penalties (violations of Article 15 – Passenger Tramway Safety, resulting in serious injury or death).	95-125.3(g)	YES
Rebellion against the state.	14-8	NO
Assault with a deadly weapon on executive, legislative, or court officer.	14-16.6(b)	NO
Assault inflicting serious bodily injury on executive, legislative, or court officer.	14-16.6(c)	NO
Involuntary manslaughter.	14-18	NO Punishment section
Involuntary manslaughter of an unborn child.	14-23.4	NO
Assault inflicting serious bodily injury on an unborn child.	14-23.5	NO
Aggravated assault/assault and battery on handicapped person.	14-32.1(e)	NO Punishment section
Patient abuse and neglect, conduct proximately causes serious bodily injury.	14-32.2(b)(3)	NO
Domestic abuse, neglect, and exploitation of disabled or elder adults (abuse results in serious injury).	14-32.3(a)	YES
Assault inflicting serious bodily injury.	14-32.4(a)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers.	14-34.2	NO
Assault or affray with a firearm on an emergency medical technician, ambulance attendant, emergency department nurse, or hospital personnel.	14-34.6(c)	NO
Certain assaults on a law enforcement, probation, or parole officer, or on a member of the North Carolina National Guard, or on a person employed at a State or local detention facility; penalty (inflicts serious bodily injury).	14-34.7(a), (a1), (b)	NO
Discharge firearm within enclosure to incite fear.	14-34.10	YES
Abduction of children.	14-41	NO
Involuntary servitude.	14-43.2	Repealed
Felonious restraint.	14-43.3	NO
Involuntary servitude (victim is adult).	14-43.12	YES
Unlawful sale, surrender, or purchase of a minor.	14-43.14	NO
Pattern of criminal street gang activity (conduct or participate in as organizer).	14-50.16(a)(1)	Repealed
Soliciting; encouraging participation (under 16).	14-50.18	NO
Intimidation to deter from gang withdrawal (injure a person).	14-50.19(a1)	NO
Punishment or retaliation for gang withdrawal (injure a person).	14-50.20(a1)	NO
Burning of certain public buildings.	14-59	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Burning of schoolhouses or buildings of educational institutions.	14-60	YES
Burning of certain bridges and buildings.	14-61	YES
Burning of certain buildings.	14-62	YES
Embezzlement of state property by public officers and employees. (Amount involved less than \$100,000)	14-91	YES
Embezzlement of funds by public officers and trustees. (Amount involved less than \$100,000)	14-92	YES
Embezzlement of taxes by officers. (Amount involved less than \$100,000)	14-99	NO sentencing statute
Exploitation of an older adult or disabled adult (position of trust/funds, assets, or property involved valued at \$100,000 or more).	14-112.2	NO Definition statute (exploitation)
Financial identity fraud (victim suffers arrest, detention, or conviction, or person is in possession of identifying information of three or more separate persons).	14-113.20, 113.22	YES
Interfering with gas, electric and steam appliances or meters; penalties (resulting in significant property damage or public endangerment).	14-151(d)(3)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Cutting, mutilating, defacing, or otherwise injuring property to obtain Nonferrous metals (property damage \$10,000 or more).	14-159.4(c)(1)	NO
Cutting, mutilating, defacing, or otherwise injuring property to obtain Nonferrous metals (person suffers a serious bodily injury).	14-159.4(c)(3)	NO
Incest.	14-178	NO
Participating in prostitution of a minor.	14-190.19	NO
Taking indecent liberties with children.	14-202.1	YES
Patronizing a prostitute (prostitute is a minor).	14-205.2	YES
Promoting prostitution.	14-205.3(a)(c)	YES
Failure to register; falsification of verification Notice; failure to return verification form; order for arrest - Sex Offender Registration Program.	14-208.11	YES
Sexual predator prohibited from working or volunteering for child-involved activities; limitation on residential use.	14-208.17	NO
Failure to enroll; tampering with device (enroll).	14-208.44(a)	NO
Perjury.	14-209	YES
Bribery of officials.	14-217(a)	NO "omission" constitutes a crime
Offering bribes.	14-218	NO
Bribery of jurors.	14-220	NO
Breaking or entering jails with intent to injure prisoners.	14-221	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Conveying messages and weapons to or trading with convicts and other prisoners resulting in murder, assault or escape.	14-258	NO
Possession of dangerous weapon in prison resulting in bodily injury or escape.	14-258.2	NO strict liability “have n possession” is enough
Taking of hostage, etc., by prisoner.	14-258.3	NO
Malicious conduct by prisoner.	14-258.4	NO
Possess firearm on educational property or to a curricular or extracurricular activity sponsored by a school (discharging a firearm).	14-269.2(b)	YES
Stalking (second or subsequent offense).	14-277.3A	NO
Dumping of toxic substances.	14-284.2	YES
Inciting to riot (property damage greater than \$1500 or serious bodily injury).	14-288.2(e)	YES
Manufacture, assembly, possession, storage, transportation, sale, purchase, delivery, or acquisition of weapon of mass death and destruction.	14-288.8	NO
Assault on emergency personnel with a dangerous weapon or substance.	14-288.9	NO definition statute
Manufacturing, trafficking in, transporting, or possessing poisonous alcoholic beverages.	14-329(b)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Distribution of certain food at Halloween and all other times prohibited (any controlled substance).	14-401.11(b)(2)	NO penalties statute
Solicit unlawful purchase of firearm (transfer of firearms or ammunition under circumstances known to violate state or federal laws).	14-408.1(b)	YES
Solicit unlawful purchase of firearm (provide dealer or seller with false information with intent to deceive).	14-408.1(c)	NO
Accessing government computers.	14-454.1(a)	YES
Damaging computers, computer programs, computer systems, computer networks, and resources.	14-455(a1)	YES
Unlawful for sex offender to drive commercial passenger vehicle or school bus without appropriate commercial license or while disqualified.	20-27.1	NO
Habitual impaired driving.	20-138.5(b)	NO
Felony and misdemeanor death by vehicle; felony serious injury by vehicle; aggravated offenses; repeat felony death by vehicle (felony serious injury by vehicle).	20-141.4(a3)	NO "unintentionally" is important to this section
Duty to stop in event of accident or collision (resulted in death or serious bodily injury).	20-166(a)	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Willful failure to pay group insurance premiums; willful termination of a group health plan; Notice to persons insured; penalty; restitution; examination of insurance transactions (value of losses suffered \$100,000 or more).	58-50-40(c)(1)	NO
Infliction of serious bodily injury by operation of an aircraft while impaired.	63-28	NO
Operating vessel or manipulating water skis, etc., in reckless manner; operating, etc., while intoxicated, etc.; depositing or discharging litter, etc. (medical waste that creates substantial risk of physical injury).	75A-10(d)	NO
Death or serious injury by impaired boating; repeat offenses (serious injury by impaired boating).	75A-10.3(b), (f)(4)	YES
Penalties (Boat Safety Act).	75A-18(d)(2)	(b)-(e) has been repealed
False testimony as to any material fact by any person examined under the Racketeer Influenced and Corrupt Organizations Chapter.	75D-7	NO
Discharging medical waste in Atlantic Ocean or waters of state, creating substantial risk of injury.	76-40(a1)(2)	YES
Possess an immediate precursor chemical with intent to manufacture methamphetamine.	90-95(d1)(2)a	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Possess or distribute an immediate precursor chemical knowing it will be used to manufacture methamphetamine.	90-95(d1)(2)b	NO
Trafficking in marijuana (2,000 pounds or more, less than 10,000 pounds).	90-95(h)(1)c	NO
Trafficking in synthetic cannabinoid (1250 or more dosage units, less than 3750).	90-95(h)(1a)c	NO
Trafficking in methaqualone (5,000 or more dosage units, less than 10,000).	90-95(h)(2)b	NO
Trafficking in cocaine (200 grams or more, less than 400 grams).	90-95(h)(3)b	NO
Trafficking in methamphetamine (28 grams or more, less than 200 grams).	90-95(h)(3b)a	NO
Trafficking in MDPV (28 grams or more, less than 200 grams).	90-95(h)(3d)a	NO
Trafficking in mephedrone (38 grams or more, less than 200 grams).	90-95(h)(3e)a	NO
Trafficking in opium or heroin (4 grams or more, less than 14 grams).	90-95(h)(4)a	NO
Trafficking in Lysergic Acid Diethylamide (500 or more dosage units, less than 1,000 dosage units).	90-95(h)(4a)(b)	NO
Trafficking in MDA/MDMA (500 or more dosage units, but less than 1000 dosage units/200 grams or more, less than 400 grams).	90-95(h)(4b)b	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Penalties (contribution tax return preparer aids or assists in filing false or fraudulent return to evade unemployment insurance contributions and amount involved is less than \$100,000).	96-18(b1)	NO
Penalties (income tax return preparer aids or assists in filing fraudulent returns and amount is less than \$100,000).	105-236(a)(9a)b	NO
Penalties (identity theft and victim suffers adverse financial impact).	105-236(a)(9b)	YES
Unauthorized administration of medication (results in serious injury to the child).	110-102.1A(c)	NO
Bribing of legislators.	120-86	NO
Financial interest of officers in sources of supply; acceptance of bribes (Secretary of Administration, assistant, or A.B.C. member).	143-63	NO
Discharging medical waste in Atlantic Ocean or waters of state, creating substantial risk of injury.	143-214.2A(c)(2)	YES
Financial interest of officers in sources of supply; acceptance of bribes (Department of Information Technology).	143B-1326	“reserved for future codification purposes”
Financial interest of officers in sources of supply; acceptance of bribes.	147-33.99	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Wrongful manufacture, distribution, or possession of software or hardware (creates, manufactures, distributes software).	10B-146(a)	YES
Sexual activity with a student (teacher, etc., who is at least 4 years older than the victim). (Effective 12/1/99)	14-27.32	NO
Domestic abuse, neglect, and exploitation of disabled or elder adults (neglect results in serious injury).	14-32.3(b)	NO
Malicious use of explosive or incendiary.	14-49(b)	NO
Intimidation to deter from gang withdrawal (communicate threat of injury, damage property).	14-50.19(a)	NO
Punishment or retaliation for gang withdrawal (communicate threat of injury, damage property).	14-50.20(a)	NO
Burglary in the 2nd degree.	14-51	NO
Breaking or entering a building that is a place of religious worship.	14-54.1	NO "wrongfully"
Arson in the 2nd degree.	14-58	NO
Making a false report concerning destructive device in a public building (second conviction within five years).	14-69.1(c)	YES
Perpetrating hoax by use of false bomb or other device in a public building (second conviction within five years).	14-69.2(c)	NO
Chop shop activity.	14-72.7	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Organized retail theft (conspires with another to commit theft of retail property with a value exceeding \$20,000).	14-86.6(a1)(1)	NO
Organized retail theft (conspires with another to commit theft of retail property with a value exceeding \$20,000; defendant is the organizer).	14-86.6(a1)(2)	NO
Common law robbery.	14-87.1	YES
Exploitation of an older adult or disabled adult (position of trust/funds, assets, or property involved valued at \$20,000 or more but less than \$100,000).	14-112.2(d)(2)	NO
Exploitation of an older adult or disabled adult (lacks capacity to consent/funds, assets, or property involved valued at \$100,000 or more).	14-112.2(e)(1)	NO
Making, distributing, possessing, transferring, or programming device for theft of telecommunication service (5 or more devices).	14-113.5	YES
Financial identity fraud.	14-113.20, -113.22	YES
Forgery of Notes, checks, and other securities; counterfeiting of instruments (five or more instruments).	14-119(b)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Domestic criminal trespass (on property operated as a safe house or haven for victims of domestic violence and the person is armed with a deadly weapon).	14-134.3(b)	NO
Solicitation of child by computer or certain other electronic devices to commit an unlawful sex act (actual appearance at the meeting location).	14-202.3(c)(2)	NO
Solicitation of prostitution (prostitute is a minor).	14-205.1	NO
Patronizing a prostitute (second or subsequent offense).	14-205.2	NO
Residential restrictions (registered sex offenders).	14-208.16	NO
Intimidating or interfering with witnesses.	14-226	NO
Possess explosive on educational property.	14-269.2(b1)	NO mere possession
Aid minor to possess explosive on educational property.	14-269.2(c1)	NO mere possession
Manufacture, sale, etc., of slot machines and devices (third offense).	14-304, -309(a)	NO
Agreements with reference to slot machines or devices made unlawful (third offense).	14-305. -309(a)	NO
Types of machines and devices prohibited by law; penalties (video gaming machines - third offense).	14-306.1A, -309(a)	NO
Types of machines and devices prohibited by law; penalties (video gaming machines - five or more machines).	14-306.1A, -309(b)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Certain game promotions unlawful (server-based electronic game promotion - third offense).	14-306.3, -309(a)	NO
Types of machines and devices prohibited by law; penalties (server-based electronic game promotion - five or more machines).	14-306.3, -309(c)	NO
Electronic machines and devices for sweepstakes prohibited (third offense).	14-306.4	NO definition section
Child abuse a felony (willful act or grossly negligent omission which shows a reckless disregard for human life and results in serious physical injury to the child).	14-318.4(a5)	YES
Prohibit unlawful transfer of custody of minor child (resulting in serious physical injury to the child).	14-321.2(d)	NO
Contaminate food or drink to render one mentally incapacitated or physically helpless (with the intent to commit second degree rape or second degree sexual offense).	14-401.16	YES
Possession of firearms, etc., by felon prohibited.	14-415.1	NO
Accessing computers.	14-454(a)	YES
Damaging computers, computer systems, computer networks, and resources.	14-455	YES
Interception and disclosure of wire, oral, or electronic communications prohibited.	15A-287(e)	YES
Sale of Schedule I or II Controlled Substance.	90-95(b)(1)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Trafficking in marijuana (50 pounds or more, less than 2,000 pounds).	90-95(h)(1)b	NO
Trafficking in synthetic cannabinoid (at least 250, less than 1250 dosage units).	90-95(h)(1a)b	NO
Trafficking in methaqualone (1,000 or more dosage units, less than 5,000).	90-95(h)(2)a	NO
Trafficking in cocaine (28 grams or more, less than 200 grams).	90-95(h)(3)a	NO
Trafficking in amphetamine (200 grams or more, less than 400 grams).	90-95(h)(3c)b	NO
Trafficking in Lysergic Acid Diethylamide (100 or more dosage units, less than 500 dosage units).	90-95(h)(4a)a	NO
Trafficking in MDA/MDMA (100 or more dosage units, but less than 500 dosage units/28 grams or more, less than 200 grams).	90-95(h)(4b)a	NO
Participating in a drug violation by a minor.	90-95.7	NO
Prohibited acts, penalties (employee embezzlement of controlled substance).	90-108(b)(2)	NO
Penalties; situs of violations; penalty disposition (identity theft).	105-236(a)(9b)	YES
Voting systems: requirements for voting systems vendors; penalties (willful violation of subsection (a)).	163-165.9A	NO
Unclassified misdemeanor which is infamous, done in secrecy and malice, or with deceit and intent to defraud.	14-3(b)	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Class 1 misdemeanor offense committed because of the victim's race, color, religion, nationality, or country of origin.	14-3(c)	NO
Continuing criminal enterprise.	14-7.20	NO
Activities aimed at overthrow of government; Use of public buildings (second offense).	14-11	NO
Certain subversive activities made unlawful.	14-12.1	NO
Placing burning/flaming cross on property of another or on public street or highway or on any public place.	14-12.12(b), -12.15	NO
Placing exhibit with intention of intimidating, etc., another.	14-12.13, -12.15	NO
Placing exhibit while wearing mask, hood, or other disguise.	14-12.14, -12.15	NO
Patient abuse and neglect; punishments.	14-32.2(b)(4)	NO
Domestic abuse, neglect, and exploitation of disabled or elder adults (abuse results in injury).	14-32.3(a)	YES
Domestic abuse, neglect, and exploitation of disabled or elder adults.	14-32.3(c)	Repealed
Assault inflicting serious bodily injury; strangulation; penalties.	14-32.4(b)	NO
Habitual misdemeanor assault.	14-33.2	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Assault or affray on a firefighter, emergency medical technician, medical responder, emergency department nurse, and hospital personnel (inflicting serious bodily injury or using a NOn-firearm deadly weapon).	14-34.6(b)	NO
Using drugs or instruments to destroy unborn child.	14-44	YES
Pattern of criminal street gang activity (conduct or participate).	14-50.16(a)(1)	Repealed
Pattern of criminal street gang activity (acquire or maintain interest in, or control of, any real or personal property).	14-50.16(a)(2)	Repealed
Soliciting; encouraging participation (16 or older).	14-50.17	NO
Breaking or entering buildings.	14-54(a)	NO
Breaking or entering buildings (intent to terrorize or injure).	14-54(a1)	NO
Burning of building or structure in process of construction.	14-62.1	YES
Burning of boats and barges.	14-63	YES
Burning of ginhouses and tobacco houses.	14-64	YES
Fraudulently setting fire to dwelling houses.	14-65	YES
Burning of personal property.	14-66	YES
Burning other buildings.	14-67.1	YES
Making a false report concerning destructive device.	14-69.1(a)	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Making a false report concerning destructive device in a public building.	14-69.1(c)	YES
Perpetrating hoax by use of false bomb or other device.	14-69.2(a)	NO
Perpetrating hoax by use of false bomb or other device in a public building.	14-69.2(c)	NO
Receiving stolen goods; receiving or possessing goods represented as stolen.	14-71	NO
Possessing stolen goods.	14-71.1	NO
Larceny of property (worth more than \$1,000).	14-72	NO
Receiving stolen goods or possessing stolen goods (worth more than \$1,000).	14-72.1	YES
Larceny from the person; receiving or possessing stolen goods from the person.	14-72(b)(1)	NO
Larceny pursuant to burglary, breaking or entering, or burglary with explosives; receiving or possessing stolen goods pursuant to these offenses.	14-72(b)(2)	NO
Larceny of explosive or incendiary device or substance; receiving or possessing stolen explosive or incendiary device or substance.	14-72(b)(3)	NO
Larceny of firearm; receiving or possessing stolen firearm.	14-72(b)(4)	NO
Larceny of record or paper in the custody of the N.C. State Archives; receiving or possessing stolen record or paper.	14-72(b)(5)	NO
Habitual larceny.	14-72(b)(6)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Chop shop activity (knowingly alter, etc., any motor vehicle or part knowing it to be illegally obtained).	14-72.7(a)(1)	NO
Chop shop activity (knowingly permit a place that he owns to be used for activities in violation of 14-72.7).	14-72.7(a)(2)	NO
Chop shop activity (purchase, etc., a motor vehicle or motor vehicle part knowing the vehicle identification number or part number has been altered, etc.,).	14-72.7(a)(3)	NO
Chop shop activity (purchase, etc., a motor vehicle or motor vehicle part from a person engaged in any activity prohibited by 14-72.7).	14-72.7(a)(4)	NO
Larceny from a merchant (exiting through marked emergency door with property worth more than \$200).	14-72.11(1)	NO
Larceny from a merchant (removing, etc., antisholifting device).	14-72.11(2)	NO
Larceny from a merchant (affixing a fraudulent product code).	14-72.11(3)	NO
Larceny from a merchant (infant formula worth more than \$100).	14-72.11(4)	NO
Larceny from a merchant (exchanging property for cash, gift card, or other item of value, knowing/believing it to be stolen).	14-72.11(5)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Larceny by servants and other employees. (Amount involved less than \$100,000)	14-74	NO
Larceny of chose in action.	14-75	NO "feloniously steal"
Larceny of secret technical processes.	14-75.1	NO
Larceny of ungathered crops.	14-78	NO
Larceny of ginseng.	14-79	NO
Larceny of pine straw.	14-79.1	NO
Waste kitchen grease; unlawful acts and penalties (take container or grease contained therein worth more than \$1,000).	14-79.2(a)(1), (b)(2)	NO , NO
Waste kitchen grease; unlawful acts and penalties (intentionally contaminate or damage container or grease contained therein worth more than \$1,000).	14-79.2(a)(2), (b)(2)	NO , NO
Waste kitchen grease; unlawful acts and penalties (label another's container worth more than \$1,000 in order to claim ownership).	14-79.2(a)(3), (b)(2)	NO , NO
Larceny of horses, mules, swine, or cattle.	14-81(a)	NO
Pursuing livestock with intent to steal.	14-85	YES
Organized retail theft.	14-86.6	NO
Embezzlement of property received by virtue of office or employment. (Amount involved less than \$100,000)	14-90	YES
Embezzlement by treasurers of charitable and religious organizations. (Amount involved less than \$100,000)	14-93	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Embezzlement by officers of railroad companies. (Amount involved less than \$100,000)	14-94	NO
Appropriation of partnership funds by partner to personal use. (Amount involved less than \$100,000)	14-97	NO
Embezzlement by surviving partner. (Amount involved less than \$100,000)	14-98	YES
Obtaining property by false pretenses. (Amount involved less than \$100,000)	14-100	YES
Obtaining signatures by false pretenses.	14-101	NO
Exploitation of an older adult or disabled adult (position of trust/funds, assets, or property involved valued at less than \$20,000).	14-112.2(d)(3)	NO
Exploitation of an older adult or disabled adult (lacks capacity to consent/funds, assets, or property involved valued at \$20,000 or more but less than \$100,000).	14-112.2(e)(2)	NO
Prohibition of falsely obtaining, selling, or soliciting telephone records.	14-113.31	NO
Possession, transfer, or use of automated sales suppression device.	14-118.7	NO
Penalty for violation of Article (Residential Mortgage Fraud Act - single mortgage loan).	14-118.15(a)	NO
Selling of certain forged securities.	14-121	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Forgery of deeds, wills, and certain other instruments.	14-122	YES
Graffiti vandalism (third or subsequent violation).	14-127.1(c)	NO
Felony taking of Venus flytrap.	14-129.3	NO
Cutting, injuring, or removing another's timber (value of timber more than \$1,000).	14-135	YES
Desecrating, plowing over or covering up graves; desecrating human remains.	14-149(a1)	YES
Interfering with gas, electric and steam appliance or meters; penalties (second or subsequent violation).	14-151(d)(2)	NO
Cutting, mutilating, defacing, or otherwise injuring property to obtain Nonferrous metals (property damage \$1,000 or more but less than \$10,000).	14-159.4(c)(1)	NO
First degree trespass (the person climbed over a barrier or entered a building on the premises of a utility facility with the intent to disrupt the Normal operations).	14-159.12(d)(1)	NO
First degree trespass (the person climbed over a barrier or entered a building on the premises of a utility facility and the act places someone at risk of serious bodily injury).	14-159.12(d)(2)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Alteration, destruction, or removal of serial number from firearm; possession of firearm with serial number removed.	14-160.2	NO
Assaulting a law enforcement agency animal, an assistance animal, or a search and rescue animal (willfully killing the animal).	14-163.1(a1)	YES
Failure to return hired property (rental car valued at more than \$4,000).	14-167	NO
Conversion by bailee, lessee, tenant, or attorney-in-fact for more than \$400.00.	14-168.1	NO
Disclosure of private images (offender 18 years or older).	14-190.5A(c)(1)	NO
Disclosure of private images. (Second or subsequent offense, offender less than 18).	14-190.5A(c)(3)	NO
Indecent exposure.	14-190.9(a1)	YES
3rd degree sexual exploitation of a minor.	14-190.17A	NO
Secretly peeping into room occupied by another person (disseminating images obtained in violation of 14-202).	14-202(h)	YES
Solicitation of child by computer or certain other electronic devices to commit an unlawful sex act.	14-202.3(c)(1)	NO
Solicitation of prostitution (second or subsequent offense).	14-205.1	YES
Sex offender unlawfully on premises.	14-208.18	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Altering court documents or entering unauthorized judgments.	14-221.2	YES
False reports to law enforcement agencies or officers (involving the disappearance of a child or child victim of a Class A, B1, B2, or C offense).	14-225(b)	NO
Harassment of and communication with jurors.	14-225.2(a)(1)	NO
Malfeasance of corporation officers and agents.	14-254	YES
Prison breach and escape from county or municipal confinement facilities or officers	14-256	NO
Escape from private correctional facility.	14-256.1	NO
Conveying messages and weapons to or trading with convicts and other prisoners.	14-258	NO
Furnishing poison, controlled substances, deadly weapons, cartridges, ammunition or alcoholic beverages to inmates of charitable, mental or penal institutions or local confinement facilities; furnishing tobacco products or mobile phones to inmates or delinquent juveniles (deadly weapon, cartridges, controlled substances, poison).	14-258.1(a)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Furnishing poison, controlled substances, deadly weapons, cartridges, ammunition or alcoholic beverages to inmates of charitable, mental or penal institutions or local confinement facilities; furnishing tobacco products or mobile phones to inmates or delinquent juveniles (mobile telephone or other wireless communications device, or component, to an inmate or delinquent juvenile).	14-258.1(d)	YES
Furnishing poison, controlled substances, deadly weapons, cartridges, ammunition or alcoholic beverages to inmates of charitable, mental or penal institutions or local confinement facilities; furnishing tobacco products or mobile phones to inmates or delinquent juveniles (inmate possesses a mobile telephone or other wireless communication devices or components thereof).	14-258.1(f)	NO
Possession of dangerous weapon in prison.	14-258.2	NO
Assisting a prisoner in attempting to escape and committing an assault resulting in bodily injury or effecting the escape.	14-258.2(b)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Carrying concealed weapons (pistol or gun) (second or subsequent offense).	14-269(c)	NO
Purchase or possession of firearms by person subject to domestic violence order prohibited.	14-269.8	NO
Impersonation of a law-enforcement or other public officer.	14-277(b)(5)	NO
Stalking (when there is a court order in effect).	14-277.3A	NO
Making a false report concerning mass violence on educational property.	14-277.5	NO definition statute
Use of a laser device towards an aircraft.	14-280.2	YES
Interference with manned aircraft by unmanned aircraft systems.	14-280.3	YES
Riot (property damage greater than \$1500 or serious bodily injury).	14-288.2(c)	YES
Disorderly conduct (military funeral or memorial service) (third offense).	14-288.4(a)(8), (c)(3)	NO , NO
Looting.	14-288.6(b)	NO
Training on certain weapons for use in a civil disorder.	14-288.20(b)	NO
Pyramid and chain schemes prohibited.	14-291.2	NO
Manufacture, sale, etc., of slot machines and devices (second offense).	14-304, -309(a)	NO , NO
Agreements with reference to slot machines or devices made unlawful (second offense).	14-305, -309(a)	NO , NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Types of machines and devices prohibited by law; penalties (video gaming machines - second offense).	14-306.1A, -309(a)	NO , NO
Certain game promotions unlawful (server-based electronic game promotion - second offense).	14-306.3, -309(a)	NO , NO
Electronic machines and devices for sweepstakes prohibited (second offense).	14-306.4	NO
Selling or giving weapons to minors.	14-315(a1)	NO
Prohibit baby sitting service by sex offender or in the home of a sex offender. Second offense	14-321.1	NO
Manufacturing, trafficking in, transporting, or possessing poisonous alcoholic beverages.	14-329(a)	NO
Cruelty to animals (maliciously kill by intentional deprivation of necessary sustenance).	14-360(a1)	YES
Cruelty to animals (maliciously torture, mutilate, maim, cruelly beat, disfigure, poison, or kill).	14-360(b)	NO
Dog fighting and baiting.	14-362.2	NO
Altering the brands of and misbranding another's livestock (Larceny).	14-367	YES
Theft or destruction of property of public libraries, museums, etc. worth more than \$50.	14-398	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Distribution of certain food at Halloween and all other times prohibited (greater than mild physical discomfort without any lasting effect).	14-401.11(b)(1)b	NO
Telephone sales recovery services (if any money/other consideration is collected).	14-401.15	NO
Contaminate food or drink to render one mentally incapacitated or physically helpless.	14-401.16	YES
Concealment of death; disturbing human remains; dismembering human remains (conceal death by failure to Notify law enforcement; child death).	14-401.22(a1)	NO
Concealment of death; disturbing human remains; dismembering human remains (conceal death by dismembering or destroying remains).	14-401.22(d)	YES
Possession of a firearm or weapon of mass destruction by persons acquitted of certain crimes by reason of insanity or persons determined to be incapable to proceed prohibited.	14-415.3	NO
Accessing government computers.	14-454.1(b)	YES
Denial of government computer services to an authorized user.	14-456.1	YES
Extortion (maliciously threatens to commit an act described in G.S. 14-455).	14-457	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Preservation of biological evidence (first degree murder).	15A-268(i)(2)	NO
Interception and disclosure of wire, oral, or electronic communications prohibited.	15A-287(a)	NO
Manufacture, distribution, possession, and advertising of wire, oral, or electronic communication intercepting devices prohibited.	15A-288	NO
Use of an unmanned aircraft system near a confinement or correctional facility prohibited (delivers or attempts to deliver a weapon to local confinement facility/State/federal correctional facility)	15A-300.3(c)(1)	NO
Disclosure of evidence by the State – Information subject to disclosure (willful omission or misrepresentation of information requested).	15A-903(d)	YES
Manufacturer’s certificate of transfer of new motor vehicle.	20-52.1(d)	NO
Perfection by indication of security interest on certificate of title.	20-58(b)	NO
Transfer by owner (filing false sworn certification as to unavailability of certificate of title).	20-72(b)	NO
Receiving or transferring stolen vehicles.	20-106	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Speeding to elude arrest; forfeiture of vehicle (two or more aggravating factors present).	20-141.5	NO
Speeding to elude arrest (violation of subsection (a) is proximate cause of death).	20-141.5(b1)	NO
Duty to stop in event of accident or collision (resulted in injury).	20-166(a1)	NO
Duty of passenger to remain at the scene of an accident.	20-166.2	NO
Motor vehicles to stop for properly marked and designated school buses in certain instances; evidence of identity of driver (strike person resulting in death).	20-217(g)	YES
Embezzlement of closing funds by settlement agent (amount involved less than \$100,000).	45A-8	NO
Unlawful payments related to adoption (second offense).	48-10-102	NO
Surrender and disposal of firearms; violations; exemptions.	50B-3.1(j)	NO
Violation of valid protective order (with two prior convictions under Chapter 50B).	50B-4.1(f)	NO
Violation of valid protective order (fail to stay away from a place or person while in possession of a deadly weapon).	50B-4.1(g)	NO
Violation of valid protective order (enter property operated as a safe house or haven).	50B-4.1(g1)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Examiner making false report.	53-124	Repealed
Misapplication of bank funds by officer or employee. (Amount involved less than \$100,000)	53-129	Repealed
Making false entries in banking accounts; misrepresenting assets and liabilities of banks.	53-130	Repealed
Certain criminal offenses (Trust companies).	53-355	NO
Examiner making false report.	53C-8-7	YES
Misapplication, embezzlement of funds.	53C-8-11	NO
False statement to procure or deny benefit of insurance policy or certificate.	58-2-161	NO
Embezzlement by insurance agents, brokers, or administrators. (Amount involved less than \$100,000)	58-2-162	NO
Rate evasion fraud; prevention programs (one or more vehicles the operation of which requires a Commercial Drivers License).	58-2-164(b1)	NO
Unauthorized insurers; prohibited acts.	58-28-45(a), (b), (c), and (k)	NO , NO , NO , NO
Duty to report insurer impairment; violations; penalties.	58-30-12(c)	YES
Agents personally liable; representing unlicensed company prohibited; penalty.	58-33-95(a)(3)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Willful failure to pay group insurance premiums; willful termination of a group health plan; Notice to persons insured; penalty; restitution; examination of insurance transactions. (Value of losses suffered less than \$100,000)	58-50-40(c)(2)	NO
Bondsman access to criminal court records (improper use of access to or information obtained from AOC systems).	58-71-200(h)	YES
Fraudulent viatical settlement acts, interference, and participation of convicted felons prohibited.	59-58-265	NO
Criminal penalty (Professional Employer Organization Act).	58-89-175	NO
Embezzlement of C.O.D. shipments.	62-273	NO
Taking of aircraft made crime of larceny (intent to deprive).	63-25	NO
Penalties (knowingly acquire human skeletal remains removed from unmarked burials in North Carolina).	70-40	NO
Combinations in restraint of trade illegal.	75-1	NO
Criminal penalties (violations of 78A-8, -11, -13, or -14 (Securities Act)). (Resulting loss is less than \$100,000)	78A-57(a2)	YES
Criminal penalties (violations of 78A-9 (Securities Act)).	78A-57(a3)	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Criminal penalties (violations of 78A-12 (Securities Act)).	78A-57(a4)	YES
Obstruction of investigation.	78A-58	YES
Criminal penalties (violations of 78C-8(a)(1), (a)(2), or (b) (Investment Advisors)).	78C-39(a2)	YES
Criminal penalties (violations of 78C-9 (Investment Advisors)).	78C-39(a3)	YES
Criminal penalties (interfering with audit).	78C-39(a4)	YES
Criminal penalties (Commodities). (Was Class I; Resulting loss is less than \$100,000	78D-24	YES
Criminal use of counterfeit trademark (value more than \$10,000).	80-11.1(b)	YES
Criminal use of counterfeit trademark device.	80-11.1(c)	YES
Possession of a controlled substance on the premises of a penal institution or local confinement facility.	90-95(e)(9)	NO
Trafficking in marijuana (more than 10 pounds, less than 50 pounds).	90-95(h)(1)a	NO
Trafficking in synthetic cannabinoids (at least 50, less than 250 dosage units).	90-95(h)(1a)a	NO
Trafficking in amphetamine (28 grams or more, less than 200 grams).	90-95(h)(3c)a	NO
Embezzlement of funeral funds, penalties.	90-210.70(a)	YES
Penalties (fraud concerning unemployment insurance contributions).	96-18(b1)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Penalty for fraud (obtain/deny workers' compensation).	97-88.2(a)	YES
Penalty for fraud (agree to accept/forgo workers' compensation).	97-88.2(c)	NO
Employers required to give proof . . . criminal penalties for failure to secure payment of compensation (employer willfully fails to secure compensation).	97-94(c)	NO
Employers required to give proof . . . criminal penalties for failure to secure payment of compensation (person with authority willfully fails to bring the employer in compliance).	97-94(d)	NO
Penalties (attempt to evade or defeat tax).	105-236(7)	YES
Penalties (aid or assist in filing fraudulent returns).	106-236(9a)c	NO
Denial, revocation, and suspension of license; penalties for violations.	106-145.6	NO
Damaging dipping vats a felony.	106-363	YES
Propagation and production of American alligators (possession of untagged/undocumented alligator).	106-763.1	NO
Illegal purchase or sale of food stamps.	108A-53.1(a)	YES
Illegal use or transfer of food stamps (value equals or exceeds \$1000).	108A-53.1(b)	YES
Protection of patient property (Medical Assistance Program; willfully embezzle, convert, appropriate).	108A-60	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Medical assistance provider fraud.	108A-63(e)	YES
Criminal penalty (second conviction of Class 1 misdemeanor).	110-103(d)	NO
Violation of Article; enforcement (Chapter 130A, Article 9, Solid Waste Management).	130A-310.55(a)(1) and (2)	YES
Sale or purchase of body parts prohibited.	130A-412.18	NO
Other prohibited acts.	130A-412.19	NO
Government contracts; violations of G.S. 75-1 and 75-2.	133-24	NO
Conviction; punishment (violation of G.S. 133-24).	133-25	NO
Malfeasance of officers and employees of Department of Transportation, members of Board of Transportation, contractors, and others.	136-13	NO
Falsifying highway inspection reports.	136-13.2	YES
Members Not eligible for other employment with Department; NO sales to Department by employees; members Not to sell or trade property with Department; profiting from official position.	136-14(a)-(d)	NO
Members Not eligible for other employment with Department; NO sales to Department by employees; members Not to sell or trade property with Department; profiting from official position.	136-14(e)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Members Not eligible for other employment with Department; NO sales to Department by employees; members Not to sell or trade property with Department; profiting from official position.	136-14(g)	NO
Decennial review of metropolitan planning organization boundaries, structure, and governance (knowingly providing false information on required filing).	136-200.2(j)	NO
Department authorized to establish Rural Transportation Planning Organizations (knowingly providing false information on required filing).	136-211(j)	NO
Penalty for False information.	138A-27	NO
Enforcement procedures: criminal penalties (Air Pollution Control).	143-215.114B(g)	YES
Escaping or attempting escape from state prison system.	148-45(b)	NO
Inflicting or assisting in infliction of self-injury to prisoner resulting in incapacity to perform.	148-46.1	YES
False statements to the question of indigency.	7A-456(a)	NO
Notary taking acknowledgment or performing verification knowing it is false or fraudulent.	10A-12(c)	Repealed



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Enforcement and penalties (verification, proof, or acknowledgment knowing it is false or fraudulent or with intent to commit fraud).	10B-60(d)	YES
Enforcement and penalties (perform Notarial acts without commission).	10B-60(e)	NO
Enforcement and penalties (obtain, use, conceal, deface, or destroy seal or Notarial records without permission).	10B-60(f)	NO
Wrongful manufacture, distribution, or possession of software or hardware (wrongfully obtains, conceals, damages, or destroys the certificate, etc.).	10B-146(b)	YES
Counterfeiting coin and uttering coin that is counterfeit.	14-13	YES
Possessing tools for counterfeiting.	14-14	NO
Assault on executive, legislative, or court officer.	14-16.6(a)	NO
Threats against executive, legislative, or court officers.	14-16.7(a)	YES
Threats against executive, legislative, or court officers by mail.	14-16.7(b)	YES
Sexual activity with a student.	14-27.32(b)	NO
Domestic abuse, neglect, and exploitation of disabled or elder adults (neglect results in injury).	14-32.3(b)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Assault or affray on a firefighter, an emergency medical technician, medical responder, emergency department nurse, and hospital personnel (causing physical injury).	14-34.6(a)	NO
Certain assaults on a law enforcement, probation, or parole officer, or on a member of the North Carolina National Guard, or on a person employed at a State or local detention facility (inflicts physical injury).	14-34.7(c)	NO
Using drugs or instruments to produce miscarriage or injure pregnant woman.	14-45	YES
Concealing birth of child.	14-46	NO
Prohibit sale of the remains of an unborn child resulting from an abortion or miscarriage.	14-46.1	NO
Preparation to commit burglary or other housebreakings.	14-55	NO
Breaking or entering into/out of railroad cars, motor vehicles, trailers, etc.	14-56	NO
Breaking into or forcibly opening coin- or currency-operated machines (second offense).	14-56.1	NO
Breaking into paper currency machines (second offense).	14-56.3	NO
Preparation to commit breaking or entering into motor vehicles (second offense).	14-56.4	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Felonious larceny, possession, or receiving of stolen goods from a permitted construction site.	14-72.6	NO
Felony larceny of motor vehicle parts.	14-72.8	NO
Larceny of dogs.	14-81(a1)	NO
Safecracking.	14-89.1	NO
Worthless checks; multiple presentment of checks (amount more than \$2,000).	14-107	YES
Exploitation of an older adult or disabled adult (lacks capacity to consent/funds, assets, or property involved valued at less than \$20,000).	14-112.2(e)(3)	NO
Financial transaction card theft.	14-113.9, -113.17(b)	NO , NO
Forgery of financial transaction card.	14-113.11, -113.17(b)	NO , NO
Financial transaction card fraud (value over \$500.00).	14-113.13(a), (b), -113.17(b)	NO , NO
Criminal possession of financial transaction card forgery devices.	14-113.14, -113.17(b)	NO , NO
Criminal receipt of goods and services fraudulently obtained (worth more than \$500.00).	14-113.15, -113.17(b)	NO , NO
Criminal factoring of financial transaction card records.	14-113.15A, - 113.17(b)	NO , NO
Simulation of court process in connection with collection of claim, demand or account.	14-118.1	NO
Filing false lien or encumbrance (against public employee on account of performance of official duties).	14-118.6	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Forgery of Notes, checks, and other securities; counterfeiting of instruments.	14-119(a)	NO
Uttering forged paper or instrument containing a forged endorsement.	14-120	NO
Forging names to petitions and uttering forged petitions.	14-123	YES
Forging certificate of corporate stock and uttering forged certificates.	14-124	NO
Forgery of bank Notes and other instruments by connecting genuine parts.	14-125	NO
Intentionally setting fire to grass and brushlands and woodlands.	14-136	YES
Burning or otherwise destroying crops in the field (if damage caused is more than \$2,000).	14-141	YES
Injuring houses, churches, fences and walls (if damage caused is more than \$5,000).	14-144	YES
Defacing or desecrating grave sites (if damage caused is \$1,000 or more).	14-148	YES
Desecrating, plowing over or covering up graves; desecrating human remains.	14-149	YES
Injuring wire and other fixtures of telephone, telegraph, and electric-power companies.	14-154	YES
Interference with animal research (if the animal released has an infectious disease).	14-159.2(c)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
First degree trespass (reentered after having previously been removed pursuant to execution of valid order or writ for possession; under color of title where person has knowingly created or provided materially false evidence of ownership or possessory interest).	14-159.12(f)	NO
Poisoning livestock.	14-163	YES
Assaulting a law enforcement agency animal, an assistance animal, or a search and rescue animal (causing serious physical harm).	14-163.1	NO
Crime against nature.	14-177	NO
Bigamy.	14-183	NO
Obscene literature and exhibitions.	14-190.1	NO
Employing or permitting minor to assist in obscenity offense.	14-190.6	YES
Dissemination to minors under the age of 16 years.	14-190.7	YES
Dissemination to minors under the age of 13 years.	14-190.8	YES
Secretly peeping into room occupied by another person (using any device to create a photographic image).	14-202(d)	NO
Secretly peeping into room occupied by another person (using a device to create a photographic image underneath or through clothing).	14-202(e)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Secretly peeping into room occupied by another person (secretly or surreptitiously use or install a device to create a photographic image).	14-202(f)	NO
Secretly peeping into room occupied by another person (possess a photographic image obtained in violation of 14-202).	14-202(g)	YES
Taking indecent liberties with a student (at least 4 years older than the victim).	14-202.4(a)	NO
Taking indecent liberties with a student (less than 4 years older than the victim).	14-202.4(b)	NO
Ban use of commercial social networking Web sites by sex offenders.	14-202.5	YES
Subornation of perjury.	14-210	NO
Perjury before legislative committees.	14-211	YES
Altering, destroying, or stealing evidence of criminal conduct.	14-221.1	NO
Harassment of and communication with jurors.	14-225.2(a)(2)	NO
Buying and selling offices.	14-228	NO
Making of false report by bank examiners; Accepting bribes.	14-233	YES
Failure of certain railroad officers to account with successors.	14-253	NO
Harboring or aiding certain persons charged or convicted of a felony.	14-259	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Possess firearm on educational property or to a curricular or extracurricular activity sponsored by a school.	14-269.2(b)	YES
Aid minor to possess firearm on educational property or to a curricular or extracurricular activity sponsored by a school.	14-269.2(c)	NO
Impersonation of a law-enforcement or other public officer.	14-277(a)(4)	NO
Obstruction of health care facilities (third conviction within three years).	14-277.4	NO
Willful injury to property of railroads.	14-278	YES
Shooting or throwing at trains or passengers.	14-280	YES
Displaying false lights on seashore.	14-282	NO
Disorderly conduct (military funeral or memorial service) (second offense).	14-288.4(a)(8), (c)(2)	NO ,NO
Assault on emergency personnel (causing physical injury).	14-288.9(c)	NO
Bingo.	14-309.5(b)	NO
Beach bingo (with a prize of \$50.00 or greater).	14-309.14	NO
Failure to report the disappearance of a child to law enforcement; immunity of person reporting in good faith.	14-318.5	NO
Transporting child outside the state with intent to violate custody order.	14-320.1	NO
Cruelty to animals (maliciously torturing).	14-360(b)	NO
Cockfighting.	14-362	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Animal fights, other than cock fights, and animal baiting (second offense).	14-362.1(d)	NO
Bribery of players, managers, coaches, referees, umpires, or officials.	14-373	NO
Acceptance of bribes by players, managers, coaches, referees, umpires, or officials.	14-374	NO
Intentional losing of athletic contest or limiting margin of victory or defeat.	14-377	YES
Littering in an amount exceeding 500 pounds or 100 cubic feet for commercial purposes.	14-399(e)	NO
Distribution of certain food at Halloween and all other times prohibited (limited to mild physical discomfort without any lasting effect).	14-401.11(b)(1)a	NO
Filing false security agreements.	14-401.19	NO
Defraud drug and alcohol screening tests; penalty (second offense).	14-401.20	NO
Practicing “rebirthing technique”; penalty (second offense).	14-401.21	NO
Concealment of death.	14-401.22(a)	NO
Disturbing human remains (disturb, vandalize, or desecrate human remains).	14-401.22(c)(i)	NO
Disturbing human remains (attempted or actual sexual penetration of human remains).	14-401.22(c)(ii)	NO
Machine guns and other like weapons.	14-409.9	Repealed



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Recording of live performances or recorded sounds and distribution, etc., of such recordings unlawful in certain circumstances (at least 100 unauth. articles during 180-day period or third conviction for offense involving at least 26 unauth. articles during 180-day period).	14-433, -437(a)	YES
Retailing, etc., of certain recorded devices unlawful (at least 100 unauth. articles during 180-day period or third conviction for offense involving at least 26 unauth. articles during 180-day period).	14-434, -437(a)	YES
Recorded devices to show true name and address of manufacturer (at least 100 unauth. articles during 180-day period or third conviction for offense involving at least 26 unauth. articles during 180-day period).	14-435, -437(a)	YES
Unlawful operation of an audiovisual recording device.	14-440.1(b)	YES
Computer trespass; penalty (damage valued at \$2,500 or more).	14-458	NO
Preservation of biological evidence (Noncapital crime).	15A-268(i)(1)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Use of an unmanned aircraft system near a confinement or correctional facility prohibited (delivers or attempts to deliver contraband to local confinement facility/State/federal correctional facility)	15A-300.3(c)(2)	NO
Failure to appear (if released in connection with a felony charge or conviction).	15A-543(b)	NO
Filing of false application for compensation award (more than \$400.00).	15B-7	NO
Direct shipments from out-of-state prohibited (alcohol).	18B-102.1	NO
Unlawful manufacturing of alcoholic beverage (second offense).	18B-307(c)	NO
Violations of License or Learner's Permit provisions (sell reproductions).	20-30(7)	NO
Violations of License or Learner's Permit provisions (use drivers license or learner's permit with false name in the commission of a felony).	20-30(9)	NO
Making false affidavits perjury (Uniform Driver's License Act).	20-31	YES
Unlawful to issue licenses for anything of value except prescribed fees.	20-34.1	NO
Fraudulent use prohibited (use special identification card with false name in commission of a felony).	20-37.8	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Prohibit issuance or renewal of certain categories of commercial drivers licenses to sex offenders.	20-37.14A(c)	NO
Purchase of vehicles for purposes of scrap or parts only.	20-62.1	NO
Altering or forging certificate of title, registration card or application.	20-71	NO
Failure to disclose damage to a vehicle shall be a misdemeanor (remove "TOTAL LOSS CLAIM VEHICLE" marker or rebuild without marker).	20-71.4(c)	NO
Transporter plates.	20-79.2	NO
Fraud in connection with rental of motor vehicles.	20-106.1	NO
Sublease and loan assumption arranging regulated.	20-106.2(d)	NO
Altering or changing engine or other numbers (willful).	20-109(a)	YES
Altering or changing engine or other numbers (intent to conceal).	20-109(b)	NO
Making false affidavit perjury (Anti-theft Provisions, Motor Vehicle Act of 1937).	20-112	YES
Smoke screens.	20-136	NO
Approach of law enforcement, fire department or rescue squad vehicles or ambulances; etc. (cause serious injury or death).	20-157(i)	NO
Penalty for felony (Motor Vehicle Act of 1937).	20-177	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Infractions and criminal offenses for violations of inspection requirements.	20-183.8(c)	NO
Motor vehicles to stop for properly marked and designated school buses in certain instances; evidence of identity of driver (strikes person).	20-217(g)	YES
Making false affidavit perjury (Motor Vehicle Safety and Financial Responsibility Act of 1953).	20-279.31(c1)	YES
Unlawful change of mileage.	20-343, -350	NO
Criminal offense (unlawful change of mileage).	20-350	NO
Issuing false bills or violating Chapter made felony.	21-42	YES
False taking of debtor's oath.	23-43	NO
NO docketing of lien unless authorized by statute.	44A-12.1(c)	NO
False certification of a check.	53-131	NO
Receiving deposits in insolvent banks.	53-132	NO
License required; licensee records.	53-243.14	NO
Criminal penalties (engage in check cashing business without license).	53-287	NO
Punishment for making false statement in financial or other statement.	58-2-180	YES
Maintenance and removal of records and assets.	58-7-50	NO
Mutual insurance companies organized; requisites for doing business (false oath in respect to certificate).	58-8-1	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Sanctions (Insurance Holding Companies).	58-19-50	NO
Violating 58-24-65: Consolidations and mergers of fraternal benefit societies.	58-24-180(d)	NO
False statement under oath in any verified report/declaration required by law from fraternal benefit societies, perjury.	58-24-180(e)	NO
Use of Nonoriginal crash repair parts.	58-36-95	NO
Permit from Commissioner of Insurance; penalty for violation; exception.	58-70-1	NO
Prohibited practices (bail bondsman fails to return collateral security worth \$1,500 or more).	58-71-95(5)	NO
Monthly report required.	58-71-165(d)	YES
Operation of aircraft while impaired (second conviction).	63-27	NO
Penalties (Cemeteries).	65-71	NO
Dealing in regulated metals property; penalties (second violation).	66-11	NO
Criminal penalty (Electronic Commerce in Government).	66-58.8	YES
Bond and trust account required.	66-135	NO
Violations (Credit Repair Services Act).	66-225	NO
Certain sales prohibited (third offense).	66-254.1	NO
Violations (Part 3. Regulation of Sales and Purchases of Metals) (second violation).	66-424	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Licenses required; violation (Locksmith Licensing Act) (second offense).	74F-3	NO
False swearing by person responding to investigation of trusts and monopolies.	75-12	YES
Criminal penalties (Securities Act).	78A-57(a1)	YES
Criminal penalties (investment advisors).	78C-39(a1)	YES
Criminal penalties (athlete agents).	78C-99	NO
Criminal use of counterfeit trademark (value of more than \$3,000 up to \$10,000).	80-11.1(b)	YES
Unlawful practice (electrolysis license).	88A-4	NO
Practicing without license; practicing defined; penalties (out-of-state practitioner).	90-18(a)	NO
Manufacture, deliver, or possess with intent to manufacture, sell or deliver, a Schedule III, IV, V, or VI Controlled Substance.	90-95(b)(2)	NO
Create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance.	90-95(c)	NO
Possession of a Schedule I Controlled Substance.	90-95(d)(1)	NO
Possession of more than four dosage units of Hydromorphone.	90-95(d)(2)	NO
Possession of more than 100 dosage units of a Schedule II, III, or IV Controlled Substance.	90-95(d)(4)	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Possession of any amount of Methamphetamine, Amphetamine, Cocaine or Phencyclidine or derivative thereof.	90-95(e)(3)	NO
Prohibited acts; penalties (Controlled Substance Act).	90-108	NO
Manufacture or delivery of drug paraphernalia (from person over 18 to person under 18).	90-113.23(c)	NO
Pseudoephedrine; restrictions on sales (offered for retail sale loose) (second offense).	90-113.52(a)	NO
Pseudoephedrine; restrictions on sales (offered for retail sale by self-service) (second offense).	90-113.52(b)	NO
Pseudoephedrine; restrictions on sales (sold to person under 18) (second offense for retailer; third offense for purchaser or employee).	90-113.52(c)	NO
Pseudoephedrine; restrictions on sales (failure to maintain record of disposition) (second offense).	90-113.52(d)	NO
Penalties (willful and knowing violation of G.S. 90-113.52A, certain information to be submitted before purchase of pseudoephedrine product, by retailer; second and subsequent offenses).	90-113.56(a)	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Penalties (willful and knowing violation of G.S. 90-113.52A, certain information to be submitted before purchase of pseudoephedrine product, by purchaser or employee; third and subsequent offenses).	90-113.56(b)	YES
Pseudoephedrine transaction limits (more than two packages containing more than six grams)) (second offense for retailer; third offense for purchaser or employee).	90-113.53(a)	NO
Pseudoephedrine transaction limits (more than three packages containing more than nine grams within 30 days) (second offense for retailer; third offense for purchaser or employee).	90-113.53(b)	NO
Posting of signs (second offense).	90-113.54	NO
Registration required of time share projects; real estate salesmen license required.	93A-40	NO
Registrar required; criminal penalties; project broker (real estate development).	93A-58	NO
Withholding hazardous substance trade secret information.	95-197	NO
Penalties (false statement to obtain unemployment benefit worth more than \$400).	96-18(a)	YES
Sale of tubercular animal a felony.	106-350	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Issuance of false receipt a felony; punishment.	106-443	NO
Inspection of establishment; bribery of or malfeasance of inspector.	106-549.26	NO
Criminal penalties (manufacture, distribute, etc., or possess with intent to manufacture, distribute, etc., marijuana on property used for industrial hemp production).	106-568.57(a)	NO
Fraudulent misrepresentation (AFDC in amount of more than \$400).	108A-39(b)	YES
Fraudulent misrepresentation (Food Stamp Program in amount more than \$400).	108A-53(a)	YES
Illegal use or transfer of food stamps (value is at least \$500 but less than \$1,000).	108A-53.1(b)	YES
Medical assistance provider fraud.	108A-63	YES
Medical assistance recipient fraud (value of assistance is more than \$400).	108A-64(c)(1)	NO
Fraudulent misrepresentation (Health Insurance Program for Children).	108A-70.28	YES
Criminal penalty (willfully violate provisions of Article 7, Child Care Facilities).	110-103(b)	NO
Fraudulent misrepresentation (value of child care subsidy is more than \$1,000).	110-107	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Taking polluted shellfish at night or with prior conviction forbidden; penalty.	113-209	YES
Criminal violation of Article 9 (transporting hazardous waste to a facility which does Not have a permit).	130A-26.1(f)	YES
Criminal violation of Article 9 (handling hazardous waste without required documents).	130A-26.1(g)	YES
Violations of Article 4 (Vital Records Law).	130A-26A(b)	YES
Certain vaccine diversions made felony.	130A-431	NO
Perjury; punishment (Public works).	133-31	YES
Members Not eligible for other employment with Department; NO sales to department by employees; members Not to sell or trade property with Department; profiting from official position; misuse of confidential information by Board members.	136-14(f)	NO
False certification that bids are submitted without collusion.	143-54	NO
Contracts with certain foreign vendors.	143-59.1	NO
Certain vendors prohibited from contracting with State.	143-59.2	NO
Violation of Uniform Standards Code for Manufactured Homes.	143-151(b)	YES
Enforcement procedures: criminal penalties (Pollution Control, Animal Waste Management Systems).	143-215.6B(g)	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Enforcement procedures: criminal penalties (false statement/ tampering with recording device under hazardous waste article).	143-215.88B(h)	YES
Enforcement procedures; criminal penalties (dry-cleaning solvents; knowing and willful violation).	143-215.104Q(b)	YES
Certification that information technology bids were submitted without collusion.	143B-472.61	NO
Certification that information technology bid submitted without collusion.	143B-1327	“reserved for future codification”
Certification that information technology bid submitted without collusion.	147-33.100	NO
Fraudulent misrepresentation (Housing Assistance for more than \$400).	157-29.1	YES
Registration by mail (willfully giving false information).	163-72.4(f)	NO
Driver license examiners to accept applications to register voters (willfully giving false information).	163-81	NO
Declaration of religious objection to photograph (false attestation).	163-82.7A	NO
Voter registration at drivers license offices; coordination on data interface (willfully give false information on application).	163-82.19	NO
Making false affidavit perjury (Elections).	163-90.3	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Notice of candidacy; pledge; with whom filed; date for filing; withdrawal.	163-106(a1)	NO
Voting systems: requirements for voting systems vendors; penalties (willful violation of subsection (a)(2)).	163-165.9A	NO
Certain acts declared felonies (Elections).	163-226.3	NO
Forgery of signature on absentee ballot.	163-237(c)	NO
Certain acts declared felonies (Elections).	163-275	NO
Criminal penalties; duty to report and prosecute (intentional violation of G.S. 13-278.14(a) or G.S. 163-278.19(a) and contributions total more than \$10,000 per election).	163-278.27(a2)	NO
Voter registration at drivers license offices; coordination on data interface (willfully give false information on application).	163-82.19	NO
Making false affidavit perjury (Elections).	163-90.3	YES
Notice of candidacy; pledge; with whom filed; date for filing; withdrawal.	163-106(a1)	NO
Voting systems: requirements for voting systems vendors; penalties (willful violation of subsection (a)(2)).	163-165.9A	NO
Certain acts declared felonies (Elections).	163-226.3	NO
Forgery of signature on absentee ballot.	163-237(c)	NO
Certain acts declared felonies (Elections).	163-275	NO



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Criminal penalties; duty to report and prosecute (intentional violation of G.S. 13-278.14(a) or G.S. 163-278.19(a) and contributions total more than \$10,000 per election).	163-278.27(a2)	YES
Statements under oath.	163-278.32, -278.27(a1)	NO ,NO
Criminal punishment (Elections).	163-278.53	Repealed
Reports filed with Board (making a false certification).	163-278.308(e)	YES
Sentencing of habitual felons.	14-7.6	NO
Terrorism.	14-10.1	NO
Injury to pregnant woman (while committing a felony).	14-18.2(b)	Repealed
Secretly peeping into room occupied by another person (second or subsequent conviction).	14-202(i)	NO
Interference with electronic monitoring devices.	14-226.3	YES
Enhanced sentence for offenses committed by criminal gang members as a part of criminal gang activity.	15A-1340.16E(a)	NO
Enhanced sentence for offenses committed by criminal gang members as a part of criminal gang activity (defendant is found to be a criminal gang leader or organizer).	15A-1340.16E(b)	NO
Violation of valid protective order (committing a felony knowing that the behavior is prohibited by the order).	50B-4.1(d)	YES



Table 2: Presence of Mens Rea in Felonies		
Offense	General Statute	Mens Rea Present
Employing or intentionally using minor to commit a drug law violation (Offender was 18 to 21, minor was more than 13).	90-95.4(a)(1)	NO
Employing or intentionally using minor to commit a drug law violation (Offender was 18 to 21, minor was 13 or younger).	90-95.4(a)(2)	NO
Employing or intentionally using minor to commit a drug law violation (Offender was 21 or older, minor was more than 13).	90-95.4(b)(1)	NO
Employing or intentionally using minor to commit a drug law violation (Offender was 21 or older, minor was 13 or younger).	90-95.4(b)(2)	NO



TABLE 3

PRESENCE OF MENS REA IN MISDEMEANORS



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Battery on an unborn child	14-23.6	NO
Sexual battery	14-27.5A	Re-codified as G.S. 14-27.33.
Assault on handicapped persons	14-32.1(f)	NO
Assault inflicting serious injury or using a deadly weapon	14-33(c)(1)	NO
Assault on a female	14-33(c)(2)	NO
Assault on a child under 12	14-33(c)(3)	NO
Assault on a state officer or employee	14-33(c)(4)	NO
Assault on a school employee	14-33(c)(6)	NO
Assault on a public transit officer	14-33(c)(7)	NO
Assault on a company police officer	14-33(c)(8)	NO
Assault inflicting serious injury or using a deadly weapon on a person with whom the person has a personal relationship and in the presence of a minor	14-33(d)	NO
Assault by pointing a gun	14-34	NO
Cutting, mutilating, defacing, or otherwise injuring property to obtain Nonferrous metals	14-159.4(c)(2)	YES
First degree trespass (on certain utility premises).	14-159.12(c)(1)	NO
First degree trespass (the person entered a building or climbed over a barrier to reach the facility).	14-159.12(c)(2)	NO
Secretly peeping into room occupied by another person (while in possession of a device used to create a photographic image).	14-202(c)	NO
Patronizing a prostitute (first violation)	14-205.2(b)	YES
Stalking, first offense	14-277.3A	YES
Interfering with emergency communication	14-286.2	YES
Misdemeanor child abuse	14-318.2	NO
Prohibit unlawful transfer of custody of minor child	14-321.2(a), (c)	NO
Unlawful distribution of images	14-401.25	NO
Sale of certain packages prohibited	14-401.18	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Practicing “rebirthing technique”	14-401.18A	NO
Concealment of death	14-401.21	NO
Criminal penalties and civil remedies for violation (victim suffers life threatening injury or is killed)	14-401.22(b)	NO
Criminal penalties and civil remedies for violation (intentionally releasing reptiles into the wild)	14-422(b)	NO
Permanent NO contact order prohibiting future contact by convicted sex offender with crime victim	14-422(c)	YES
Felony and misdemeanor death by vehicle.	15A-1340.50	YES
Violation of a valid protective order	20-141.4(a2) and (b5)	NO
Violation (knowing violation of permanent civil NO-contact order against sex offender on behalf of crime victim).	50B-4.1	YES
Second offense of certain sales prohibited	50D-10	YES
Pseudoephedrine; restrictions on sales	66-254.1	NO
Pseudoephedrine; restrictions on sales (offered for retail sale by self-service)	90-113.52(a), -113.56(a)	YES
Pseudoephedrine; restrictions on sales (sold to person under 18) (first offense for retailer; second offense for purchaser or employee)	90-113.52(b), -113.56(a)	YES
Pseudoephedrine; restrictions on sales (failure to maintain record of disposition) (first offense).	90-113.52(c), -113.56(a)	YES
Electronic record keeping	90-113.52(d), -113.56(a)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Pseudoephedrine transaction limits (more than two packages containing more than six grams) (first offense for retailer; second offense for purchaser or employee)	90-113.52A, -113.56(a)	YES
Pseudoephedrine transaction limits (more than three packages containing more than nine grams within 30 days) (first offense for retailer; second offense for purchaser or employee).	90-113.53(a), -113.56(a)	YES
Posting of signs first offense	90-113.53(b), -113.56(a)	YES
Penalties (willful and knowing violation of G.S. 90-113.52A, certain information to be submitted before purchase of pseudoephedrine product, by retailer; first offense	90-113.54, -113.56(a)	YES
Penalties (willful and knowing violation of G.S. 90-113.52A, certain information to be submitted before purchase of pseudoephedrine product, by purchaser or employee; second offense)	90-113.56(a)	YES
Punishment for violations; carriers exempt; interference with enforcement (assaulting, resisting, etc. officer performing duties under Article, with use of deadly or dangerous weapon).	90-113.56(b)	YES
legal possession or use of food stamps (uses, transfers or acquires; value of the stamps is at least \$100 but less than \$500)	106-549.59(c)	NO
Unauthorized administration of medicine	108A-53.1(b)	YES
Unlawful possession, transportation and sale of fish	110-102.1A	YES
Possession and transportation of prohibited oyster equipment.	113-183, -187	YES
Fishing near ocean piers; trash or scrap fishing	113-184, -187	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Penalties for violations of Subchapter and rules (participation in commercial fishing operation conducted in violation of Subchapter).	113-185, -187	NO
Penalties for violations of Subchapter and rules (owner of vessel knowingly permits it to be used in violation of Subchapter IV).	113-187(a)	NO
Penalties for violations of Subchapter and rules (any person in charge of a commercial fishing operation conducted in violation of Subchapter IV).	113-187(b)	YES
Penalties for violations of Subchapter and rules (taking or attempting to take, possess, sell, or offer for sale any oysters, mussels, or clams taken from areas closed by statute, rule, or proclamation because of suspected pollution).	113-187(c)	NO
Penalties for violations of Subchapter and rules (taking or attempting to take or have in possession aboard a vessel, shrimp taken by the use of a trawl net, in areas Not opened to shrimping, pulled by a vessel Not showing lights required by G.S. 75A-6 after sunset and before sunrise	113-187(d)(1)	NO
Penalties for violations of Subchapter and rules (using a trawl net in any coastal fishing waters closed by proclamation or rule to trawl nets)	113-187(d)(2)	NO
Penalties for violations of Subchapter and rules (violating the provisions of a special permit or gear license issued by the Department	113-187(d)(3)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Penalties for violations of Subchapter and rules (using or attempting to use any trawl net, long haul seine, swipe net, mechanical methods for oyster or clam harvest or dredge in designated primary nursery areas).	113-187(d)(4)	NO
Penalties for violations of Subchapter and rules (taking menhaden or Atlantic thread herring by a purse seine net deployed by a mother ship and one or more runner boats in coastal fishing waters).	113-187(d)(5)	NO
Unlawful sale or purchase of fish; criminal and civil penalties	113-187(e)	NO
Protection of private shellfish rights	113-191	NO
Protection of private marine aquaculture rights	113-208(a)	YES
Injuring, destroying, stealing, or stealing from nets, seines, buoys, pots, etc.	113-218	YES
Criminal history record checks (penalty for furnishing false information).	113-268	YES
School personnel criminal history checks (furnishing false information).	115C-238.73(h)	YES
False criminal history records check on employment application	115C-332(h)	YES
Protection from abuse and exploitation; reporting (employee or volunteer knowingly causes NO non-procedural pain or injury to client).	116-239.12	YES
Protection from abuse and exploitation; reporting (employee or volunteer witness fails to report rape of or sex offense against client).	122C-66(a)	YES
Criminal history record checks required for certain applicants for employment (penalty for furnishing false information).	122C-66(b1)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Criminal history record checks required for certain applicants for employment (penalty for furnishing false information)	122C-80(f)	YES
Criminal history record checks required for certain applicants for employment (penalty for furnishing false information).	131D-40(e)	YES
Penalties and punishment for violations (false statement in violation of 143-6.2(b2))	131E-265(e)	YES
Offenses for violation of Chapter (Chapter 143C. State Budget Act)	143-34(b)	Repealed
Go armed to the terror of the people	143C-10-1(b)	YES
Uttering a forged paper	1-324.2, -324.5	YES
Forcible trespass	1-324.3, -324.5	YES
False imprisonment	1-324.4, -324.5	YES
Obstruction of justice (without alleging deceit and intent to defraud)	1-531	NO
Compounding a felony	1-596	NO
Forgery	7A-112	NO
Unlawful assembly	7B-301(b)	YES
Agent must furnish information as to corporate officers and property	7B-301(c)	Repealed
Shares subject to execution; agent must furnish information	7B-2109	YES
Debts due corporation subject to execution; duty, etc., of agent.	10A-12(a)	Repealed
Refusal to surrender official papers misdemeanor.	10A-12(d)	Repealed
Charges for legal advertising (NO printing of legal ads unless filed with clerk).	10B-60(b)	NO
Investment of funds in clerk's hands (applying or investing money beyond authority of statute).	10B-60(c)	NO
Duty to report abuse, neglect, dependency, or death due to maltreatment (person or institution knowingly or wantonly fail to report suspicion).	14-3(c)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Secret political and military organizations forbidden.	14-10	YES
Activities aimed at overthrow of government; use of public buildings.	14-11, -12	YES
Certain secret societies prohibited.	14-12.3, -12.15	NO
Uses of signs, grips, passwords or disguises or taking or administering oath for illegal purposes.	14-12.4, -12.15	NO
Permitting, etc., meetings or demonstrations of prohibited secret societies.	14-12.5, -12.15	NO
Meeting places and meetings of secret societies regulated.	14-12.6, -12.15	NO
Wearing of masks, hoods, etc., on public ways.	14-12.7, -12.15	NO
Wearing of masks, hood, etc., on public property.	14-12.8, -12.15	NO
Entry, etc., upon premises of another while wearing mask, hood, or other disguise.	14-12.9, -12.15	NO
Holding meetings or demonstrations while wearing masks, hoods, etc.	14-12.10, -12.15	NO
Placing burning or flaming cross on property of another or on public street or highway.	14-12.12(a), -12.15	NO
Domestic abuse, neglect, and exploitation of disabled or elder adults (loss of property or money is a value of one thousand dollars or less).	14-32.3(c)	Repealed
Assault, assault and battery, or affray against a sports official.	14-33(b)	NO
Manufacture, sale, purchase, or possession of teflon-coated types of bullets prohibited.	14-34.3	NO
Involuntary servitude (failure to report violation)	14-43.2(d)	Repealed
Involuntary servitude (failure to report violation)	14-43.6(e)	Recodified
Concealing birth of child (aiding or abetting any other person in concealing).	14-46	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Breaking or entering buildings generally (NO intent to commit felony or larceny therein).	14-54(b)	NO
Breaking into or forcibly opening coin- or currency-operated machines (first offense).	14-56.1	YES
Damaging or destroying coin- or currency-operated machines.	14-56.2	NO
Breaking into paper currency machines (first offense).	14-56.3	YES
Preparation to commit breaking or entering into motor vehicles (first offense).	14-56.4	YES
Larceny of property; receiving stolen goods or possessing stolen goods (value \$1,000 or less).	14-72(a)	YES
Concealment of merchandise in mercantile establishments (third or subsequent offense committed within 5 years of conviction of two other offenses).	14-72.1(a) and (e)	YES
Concealment of merchandise in mercantile establishments (changing price tags, third or subsequent offense committed within 5 years of conviction of two other offenses).	14-72.1(d) and (e)	YES
Unauthorized use of a motor-propelled conveyance (other than aircraft).	14-72.2	NO
Larceny of motor fuel (less than \$1,000).	14-72.5	YES
Larceny, mutilation, or destruction of public records and papers.	14-76	YES
Mutilation or defacement of records and papers in the North Carolina State Archives.	14-76.1	YES
Larceny, concealment or destruction of wills.	14-77	YES
Waste kitchen grease; unlawful acts and penalties (take container or grease contained therein worth \$1,000 or less).	14-79.2(a)(1), (b)(1)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Waste kitchen grease; unlawful acts and penalties (intentionally contaminate or damage container or grease contained therein worth \$1,000 or less).	14-79.2(a)(2), (b)(1)	YES
Waste kitchen grease; unlawful acts and penalties (label another's container worth \$1,000 or less in order to claim ownership).	14-79.2(a)(3), (b)(1)	YES
Larceny, destruction, defacement, or vandalism of portable toilets or pumper trucks.	14-86.2	YES
Possession or manufacture of certain fraudulent forms of identification	14-100.1	YES
Worthless checks; multiple presentment of checks (amount \$2,000 or less, fourth and subsequent convictions).	14-107 (d)(1)	NO
Worthless checks; multiple presentment of checks (drawn upon a NON-existent account).	14-107(d)(3)	NO
Worthless checks; multiple presentment of checks (drawn upon a closed account).	14-107(d)(4)	YES
Misuse of 911 system.	14-111.4	YES
Blackmailing	14-118	YES
Falsifying documents issued by a secondary school, postsecondary educational institution, or governmental agency.	14-122.1	YES
Willful and wanton injury to real property	14-127	YES
Graffiti vandalism	14-127.1	NO
Injury to trees, crops, lands, etc., of another.	14-128	YES
Trespass on public lands.	14-130	NO
Willfully trespassing upon or damaging a public school bus	14-132.2(a)	YES
Willfully trespassing upon or damaging a public school bus (entering a school bus after being forbidden to do so).	14-132.2(b)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Willfully trespassing upon or damaging a public school bus (refusing to leave a school bus upon demand).	14-132.2(c)	NO
Willfully trespassing upon or damaging a public school bus (willfully stop, impede, delay, or detain any public school bus being operated for public school purposes).	14-132.2(c1)	NO
Domestic criminal trespass.	14-134.3	NO
Cutting, injuring, or removing another's timber.	14-135	YES
Setting fire to grass and brushlands and woodlands (NO intent to damage property shown, second or subsequent offense).	14-136	YES
Burning or otherwise destroying crops in the field (damage \$2000 dollars or less).	14-141(1)	YES
Injuring bridges.	14-146	YES
Defacing or desecrating grave sites.	14-148	YES
Interfering with gas, electric and steam appliances	14-151	YES
Interfering with electric, gas or water meters	14-151.1	Repealed
Injuring wires and other fixtures of telephone, telegraph and electric-power companies.	14-154	YES
Interference with animal research (unauthorized entry into research facility).	14-159.2(a)(1) and (b)	YES
Interference with animal research (damaging of research facility).	14-159.2(a)(2) and (b)	YES
Interference with animal research (unauthorized release of animal).	14-159.2(a)(3) and (b)	YES
Interference with animal research (interference with care of animal).	14-159.2(a)(4) and (b)	YES
Cutting, mutilating, defacing, or otherwise injuring property to obtain Nonferrous metals (property damage less than \$1,000).	14-159.4(c)(1)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Cutting, mutilating, defacing, or otherwise injuring property to obtain Nonferrous metals (critical infrastructure affected).	14-159.4(c)(5)	YES
Trespass for purposes of hunting, etc., without written consent a misdemeanor (with the intent to rake/remove pine straw).	14-159.6(b)	YES
Willful and wanton injury to personal property; punishments (damage in excess of \$200).	14-160(b)	YES
Alteration, destruction or removal of permanent identification marks from personal property.	14-160.1	YES
Injuring, destroying, removing, vandalizing, or tampering with firefighting or emergency medical services machinery or equipment.	14-160.3	YES
Assaulting a law enforcement agency animal, an assistance animal, or a search and rescue animal (willfully cause or attempt to cause harm). (Added search and rescue animal - Effective 12/1/09)	14-163.1(c)	YES
Violation made a misdemeanor (unclassified violations of Article 24. Vehicles and Draft Animals- Protection of Bailor Against Acts of Bailee).	14-169	NO
Coercing acceptance of obscene articles or publications.	14-190.4	NO
Preparation of obscene photographs, slides and motion pictures.	14-190.5	YES
Disclosure of private images (first violation by a person under 18 at time of offense).	14-190.5A(c)(2)	YES
Disseminating harmful material to minors; exhibiting harmful performances to minors.	14-190.15	NO
Secretly peeping into room occupied by another person.	14-202(a)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Secretly peeping into room occupied by another person (surreptitiously peep underneath or through the clothing of another by a mirror or other device).	14-202(a1)	YES
Indecent liberties between children.	14-202.2	YES
Prostitution	14-204	YES
Loitering for the purpose of engaging in prostitution offense.	14-204.1	Repealed
Solicitation of prostitution (first offense).	14-205.1	YES
Verification of registration information	14-208.9A(c)	YES
Failure to enroll; tampering with device (fail to provide necessary information/cooperate with guidelines).	14-208.44(c)	NO
Picketing or parading.	14-225.1	YES
Harassment of participant in neighborhood crime watch program.	14-226.2	YES
Interference with electronic monitoring devices (person on bond or pretrial release).	14-226.3(e), (b)	YES
Interference with electronic monitoring devices (person on bond or pretrial release solicits another)	14-226.3(e), (c)	YES
Acting as officer before qualifying as such.	14-229	NO
Willfully failing to discharge duties.	14-230	YES
Failing to make reports and discharge other duties.	14-231	NO
Swearing falsely to official reports.	14-232	YES
Public officers or employees benefitting from public contracts; exceptions.	14-234	NO
Misuse of confidential information (from public office).	14-234.1	YES
Allowing prisoners to escape; punishment.	14-239	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Disposing of public documents or refusing to deliver them over to successor.	14-241	YES
Failing to return process or making false return.	14-242	YES
Failing to surrender tax list for inspection and correction.	14-243	NO
Failing to file report of fines or penalties.	14-244	NO
Failure of ex-magistrate to turn over books, papers and money.	14-246	YES
Escape of working prisoners from custody.	14-255	NO
Prison breach and escape from county or municipal confinement facilities or officers.	14-256	NO
Furnishing alcoholic beverages to inmates of charitable, mental or penal institutions or local confinement facilities; furnishing tobacco products or mobile phones to inmates or delinquent juveniles	14-258.1(b)	YES
Furnishing alcoholic beverages to inmates of charitable, mental or penal institutions or local confinement facilities; furnishing tobacco products or mobile phones to inmates or delinquent juveniles	14-258.1(c)	YES
Furnishing alcoholic beverages to inmates of charitable, mental or penal institutions or local confinement facilities; furnishing tobacco products or mobile phones to inmates or delinquent juveniles	14-258.1(e)	NO
Harboring or aiding certain persons charged or convicted of a misdemeanor.	14-259	YES
Persuading inmates to escape.	14-266, -268	NO
Harboring fugitives.	14-267, -268	NO
Weapons on campus or other educational property (enumerated weapons).	14-269.2(d)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Weapons on campus or other educational property (aid/encourage a minor under 18 to carry/possess a weapon).	14-269.2(e)	NO
Weapons on campus or other education property (unloaded, locked up firearm carried in a vehicle by a person who is Not a student or educational employee)	14-269.2(f)	NO
Carrying concealed weapons into assemblies and establishments where alcoholic beverages are sold and consumed.	14-269.3	NO
Weapons on certain State property and in courthouses.	14-269.4	NO
Possession and sale of spring-loaded projectile knives prohibited.	14-269.6	NO
Prohibitions on handguns for minors.	14-269.7(a)	YES
Impersonation of a law-enforcement or other public officer (false representation).	14-277(a)(1), (2), and (3)	NO
Impersonation of a law-enforcement or other public officer (carrying out act in accordance with authority of officer).	14-277(b)(1), (2), (3), and (4)	NO
Impersonation of a law-enforcement or other public officer (false representation as a county, city, or State employee).	14-277(e)	NO
Communicating threats.	14-277.1	YES
Weapons at parades, etc., prohibited.	14-277.2	YES
Obstruction of health care facilities (second conviction within 3 years of the first conviction).	14-277.4	NO
Exploding dynamite cartridges and bombs.	14-283	NO
Keeping for sale or selling explosives without a license.	14-284	NO
Riot; inciting to riot; punishments.	14-288.2(b) and (d)	YES
Disorderly conduct (military funeral or memorial service, first offense).	14-288.4(a)(8), (c)(1)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Looting; trespass during emergency.	14-288.6(a)	NO
Transporting dangerous weapon or substance during emergency; possessing off premises; exceptions.	14-288.7	Repealed
Manufacture, sale, etc., of slot machines and devices.	14-304, -309	NO
Agreements with reference to slot machines or devices made unlawful.	14-305, -309	NO
Types of machines and devices prohibited by law; penalties.	14-306.1, -309	NO
Certain game promotions unlawful.	14-306.3, -309	NO
Electronic machines and devices for sweepstakes prohibited (first offense).	14-306.4	NO
Greyhound racing prohibited.	14-309.20	NO
Selling or giving weapons to minors (other than handguns).	14-315(a)	NO
Storage of firearms to protect minors.	14-315.1	NO
Warning upon sale or transfer of firearm to protect minor.	14-315.2	NO
Contributing to delinquency and neglect by parents and others.	14-316.1	YES
Exposing children to fire.	14-318	NO
Discarding or abandoning iceboxes, etc.; precautions required.	14-318.1	NO
Failure to report the disappearance of a child to law enforcement; immunity of person reporting in good faith (reasonable suspicion regarding disappearance or danger to child).	14-318.5(c)	YES
Prohibit baby-sitting service by sex offender or in the home of a sex offender (first offense).	14-321.1	NO
Abandonment and failure to support spouse and children (second or subsequent offense).	14-322	YES
Parents; failure to support (second or subsequent offense).	14-326.1	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Manufacturing, trafficking in, transporting, or possessing poisonous alcoholic beverages (transport or possess).	14-329(d)	NO
Selling or offering to sell meat of diseased animals.	14-342	YES
Cruelty to animals; construction of section.	14-360(a)	YES
Instigating or promoting cruelty to animals.	14-361	YES
Restraining dogs in a cruel manner.	14-362.3	YES
Conveying animals in a cruel manner.	14-363	NO
Usurious loans on household and kitchen furniture or assignment of wages.	14-391	YES
Anonymous or threatening letters, mailing or transmitting.	14-394	NO
Theft or destruction of property of public libraries, museums, etc. (property destroyed does Not exceed \$50).	14-398	YES
Putting poisonous foodstuffs, antifreeze, etc., in certain public places, prohibited.	14-401	NO
Identifying marks on machines and apparatus; application to Division of Motor Vehicles for numbers.	14-401.4	YES
Refusing to relinquish party telephone line in emergency; false statement of emergency.	14-401.8	Repealed
Soliciting charitable contributions by telephone.	14-401.12	NO
Ethnic intimidation; teaching any technique to be used for ethnic intimidation.	14-401.14	NO
Telephone sales recovery services.	14-401.15	NO
Defrauding drug and alcohol screening tests; penalty (first offense).	14-401.20	NO
Unlawful possession and use of unmanned aircraft systems (fish or hunt).	14-401.24(b)	NO
Pyrotechnics indoors	14-415	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Violations of this Article punishable as an infraction (violation of 14-415.11 (c2)).	14-415.21(a1)	NO
Recording of live concerts or recorded sounds and distribution, etc., of such recordings unlawful in certain circumstances (less than 100 unauthorized articles during any 180-day period).	14-433, -437(a)	YES
Retailing, etc., of certain recorded devices unlawful (less than 100 unauthorized articles during any 180-day period).	14-434, -437(a)	YES
Unlawful operation of an audiovisual recording device (operating a device capable of functioning as a digital or analog photographic camera).	14-440.1(a1)	YES
Accessing computers (property/services obtained \$1000 or less).	14-454(a) and (b)	YES
Accessing government computers (accessing educational testing material on a government computer).	14-454.1(c)	YES
Damaging computers, computer systems, computer networks, and resources (damage caused \$1000 or less).	14-455(a)	YES
Denial of computer services to an authorized user.	14-456	YES
Computer trespass; penalty (violation of section; damage to property less than \$2,500).	14-458	NO
Cyber-bullying; penalty (defendant is 18 or older).	14-458.1	YES
Unauthorized manufacture or sale of switch-lock keys a misdemeanor (Railroads).	14-461	NO
Prisoner Not to be tried in prison uniform.	15-176	NO
Prohibitions and exception (unlawful to install pen register or trap).	15A-261	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Unauthorized uses of DNA Databank; penalties.	15A-266.11	YES
Interception and disclosure of wire, oral, or electric communications prohibited (divulgence of contents of electronic surveillance order).	15A-287(f)	YES
Use of an unmanned aircraft system near a confinement or correctional facility prohibited.	15A-300.3(c)(3)	NO
Disclosure of evidence by the State – Information subject to disclosure (willful omission or misrepresentation of evidence or information required to be disclosed other than law enforcement and prosecutorial files	15A-903(d)	YES
Filing of application for compensation award; contents (knowing and willful presentment/attempt to present a false or fraudulent application for claims \$400 or less).	15B-7	YES
Disclosure of address prohibited.	15C-9	YES
Children required to attend school.	15C-378, -80	Repealed
Entering into or aiding contract for “futures” misdemeanor.	16-4	YES
Opening office for sales of “futures” misdemeanor.	16-5	YES
Re-committal after discharge; penalty.	17-25	YES
Penalty for false return (to a writ of habeas corpus).	17-27	NO
Penalty for concealing party entitled to writ (of habeas corpus).	17-28	YES
Manufacture, sale, etc., forbidden except as expressly authorized.	18B-102	NO
Nontax paid alcoholic beverages (unlawful to possess, transport, or sell).	18B-111, -102	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Purchase, possession and consumption of malt beverages and unfortified wine (unlawful to consume/allow to be consumed on premises having a suspended or revoked permit).	18B-300(a1), -102	NO
Purchase, possession and consumption of malt beverages and unfortified wine (unlawful to consume/allow to be consumed malt beverages or unfortified wine on premises having only an off-premises permit).	18B-300(b), -102	NO
Possession and consumption of fortified wine and spirituous liquor (unlawful possession).	18B-301, -102	NO
Sale to or purchase by underage persons.	18B-302(a), (b), (e), and (f), -102	NO
Sale to or purchase by underage persons (aider or abettor over the lawful age to purchase).	18B-302(c)(2)	NO
Amounts of alcoholic beverages that may be purchased (unlawful amount purchased).	18B-303, -102	NO
Sale and possession for sale.	18B-304, -102	NO
Other prohibited sales.	18B-305, -102	YES
Manufacturing offenses (first offense).	18B-307(a) and (b), -102	YES
Sale and consumption at bingo games (unlawful).	18B-308, -102	NO
Manner of transportation (transporting in a taxi).	18B-401(b), -102	NO
Unlawful transportation.	18B-406, -102	NO
Application for permit; fees (knowingly making a false statement).	18B-902(c), -102	YES
Hours for sale and consumption.	18B-1004, -102	NO
Conduct on licensed premises (certain conduct prohibited).	18B-1005, -102	NO
Sexually explicit conduct on licensed premises (certain conduct prohibited).	18B-1005.1, -102	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Miscellaneous provisions on permits (unlawful possession or consumption without permit authorization).	18B-1006(d), -102	NO
Miscellaneous provisions on permits (possession of false or facsimile permit).	18B-1006(e), -102	NO
Miscellaneous provisions on permits (failure to surrender permit).	18B-1006(f), -102	NO
Additional requirements for mixed beverages permittees (unlawful handling of bottles).	18B-1007(b), -102	NO
Exclusive outlets prohibited.	18B-1116, -102	NO
Filing of distribution agreement; NO discrimination.	18B-1303, -102	NO
Prohibitions (coerce/attempt to coerce or persuade a wholesaler to violate ABC laws).	18B-1304(1), -102	NO
Prohibitions (alter/terminate/fail to renew a franchise agreement).	18B-1304(2), -102	NO
Sales and sale price of tickets and shares; sales to minors prohibited.	18C-131	NO
Interference unlawful (with animal cruelty investigator).	19A-48	NO
License to Give Trust Fund Commission established.	20-7.5	NO
Tampering with ignition interlock systems.	20-17.8A	YES
Unlawful to drive while license revoked or while disqualified (for impaired driving).	20-28(a1)	NO
Violations of license of learner's permit provisions (using a false or fictitious name or address, or making a false statement on application).	20-30(5)	YES
Purchase of vehicles for purposes of scrap or parts only (first offense).	20-62.1	YES
Sublease and loan assumption arranging regulated (failure to disclose location of vehicle to vehicle's buyer/lessor).	20-106.2(b)(3)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Sublease and loan assumption arranging regulated (failure to provide third party new, accurate disclosures under Consumer Credit Protection Act).	20-106.2(b)(4)	NO
Sublease and loan assumption arranging regulated (failure to provide oral and written Notice to buyer/lessee that he will Not be released from liability).	20-106.2(b)(5)	NO
Sublease and loan assumption arranging regulated (failure to ensure that all rights under warranties and service contracts regarding the motor vehicle transfer to third party).	20-106.2(b)(6)	NO
Sublease and loan assumption arranging regulated (failure to take reasonable steps to ensure that third party is financially able to assume payment obligations of buyer/lessee according to agreement).	20-106.2(b)(7)	NO
Surrender of title to salvage vehicles (violation of section).	20-109.1	NO
Violation of registration provisions (use of false/fictitious name in application for registration of vehicle/certificate of title).	20-111(5)	YES
Use of red or blue lights on vehicles prohibited; exceptions.	20-130.1	NO
Airbag installation (violation of section).	20-136.2	NO
Operation of vehicles resembling law-enforcement vehicles unlawful; punishment.	20-137.2	YES
Unlawful racing on streets and highways (willfully in prearranged speed competition with another motor vehicle).	20-141.3(a)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Unlawful racing on streets and highways (authorize or knowingly permit vehicle owned by person to be used in prearranged speed competition; or to place/receive a bet or wager from the outcome of a prearranged speed competition).	20-141.3(c)	YES
Speeding to elude arrest; forfeiture of vehicle.	20-141.5	NO
Aggressive driving.	20-141.6	YES
Overtaking a vehicle (failure to comply with this section is the proximate cause of a collision resulting in serious bodily injury).	20-149(b)(1)	NO
Approach of law enforcement, fire department or rescue squad vehicles or ambulances; etc. (cause damage to property or injury).	20-157(h)	NO
Duty to stop in event of accident or collision; furnishing information or assistance to injured person, etc.; persons assisting exempt from civil liability (driver's failure to give information when subsection (a) is violated).	20-166(b)	NO
Duty to stop in event of accident or collision; furnishing information or assistance to injured person, etc.; persons assisting exempt from liability (accident results only in damage to property, or if driver did Not know and did Not have reason to know of death/injury to person).	20-166(c)	YES
Duty to stop in event of accident or collision; furnishing information or assistance to injured person, etc.; persons assisting exempt from liability (driver's failure to give information to victims when subsection (c) is violated).	20-166(c1)	YES
Duty of passenger to remain at the scene of an accident	20-166.2(a)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Duty of passenger to remain at the scene of an accident (failure to give information/assistance).	20-166.2(b)	YES
Limited driving privilege (violation of section).	20-179.3(j), -28	NO
Motor vehicles to stop for properly marked and designated school buses in certain instances; evidence of identity of driver (violation of section).	20-217	NO
Other violations; penalties (gives information required in a report of a reportable accident, knowing/having reason to believe information is false)	20-279.31(b)(1)	YES
Other violations; penalties (forges or without authority signs any evidence of proof of financial responsibility).	20-279.31(b)(2)	NO
Other violations; penalties (forges/offers for filing any evidence of proof of financial responsibility, knowing/having reason to believe that evidence is forged/signed without authority).	20-279.31(b)(3)	YES
Violation a misdemeanor (violation of Article 11. Liability Insurance Required of Persons Engaged in Renting Motor Vehicles).	20-284	NO
Licenses required.	20-287, -308	NO
Licenses to specify places of business; display of license and list of salesmen, advertising.	20-290, -308	NO
Insurance (violation of statute).	20-298, -308	NO
Coercion of retail dealer by manufacturer or distributor in connection with installment sales contract prohibited.	20-304, -308	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Coercing dealer to accept commodities Not ordered; threatening to cancel franchise; preventing transfer of ownership; granting additional franchises; terminating franchises without good cause; preventing family succession.	20-305, -308	NO
Coercing dealer to accept commodities Not ordered; threatening to cancel franchise; preventing transfer of ownership; granting additional franchises; terminating franchises without good cause; preventing family succession (preventing or refusing to approve sale of dealership by change in use of existing facility).	20-305(4)	NO
Coercing dealer to accept commodities Not ordered; threatening to cancel franchise; preventing transfer of ownership; granting additional franchises; terminating franchises without good cause; preventing family succession (failure to allocate products to franchised dealers in a fair manner).	20-305(14)	NO
Coercing dealer to accept commodities Not ordered; threatening to cancel franchise; preventing transfer of ownership; granting additional franchises; terminating franchises without good cause; preventing family succession (require dealer to erect or relocate sign upon unreasonable terms or conditions).	20-305(39)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Coercing dealer to accept commodities Not ordered; threatening to cancel franchise; preventing transfer of ownership; granting additional franchises; terminating franchises without good cause; preventing family succession (require or coerce dealership to change operator or general manager).	20-305(43)	NO
Automobile dealer warranty obligations (failure to perform warranty obligations).	20-305.1(b), -308	NO
Automobile dealer warranty obligations (manufacturer take adverse action against dealer for selling a vehicle to a customer who exported the vehicle or sold it to third party).	20-305.1(b3), -308	NO
Automobile dealer warranty obligations (component parts manufacturer violate subsections (a), (b), (b1), (b2), and (c)).	20-305.1(f1), -308	NO
Automobile dealer warranty obligations (deny dealer right to return any part or accessory Not sold after 15 months).	20-305.1(h)	NO
Unfair methods of competition.	20-305.2, -308	NO
Unlawful for salesmen to sell except for his employer; multiple employment; persons who arrange transactions involving the sale of new motor vehicles.	20-306, -308	NO
Applicability of this Article (unlawful for manufacturer/distributor to use other business association to engage in illegal conduct proscribed under Article 12. Motor Vehicle Dealers and Manufacturers Licensing Law).	20-308.2(d), -308	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Failure of owner to deliver certificate of registration and plates after revocation; Notice of revocation.	20-312	REPEALED
Making false certification or giving false information a misdemeanor.	20-313.1	NO
Unlawful devices.	20-342, -350	YES
Operation of vehicle with intent to defraud.	20-344, -350	YES
Lawful service, repair or replacement of odometer.	20-346, -350	NO
Disclosure requirements.	20-347, -350	YES
Penalties (violation of Article 16. Professional Housemoving).	20-371	NO
Willful injury to property of motor carrier a misdemeanor.	20-395	YES
Furnishing false information to the Department of Crime Control and Public Safety; withholding information from the Department of Crime Control and Public Safety.	20-397	YES
Creditors to file verified claims with clerks; false swearing misdemeanor.	23-9	YES
Trustee violating duties guilty of misdemeanor.	23-12	YES
False swearing; penalty (insolvent/imprisoned debtor takes false oath).	23-43	YES
Unlawful to solicit claims of creditors in proceedings.	23-46, -47	NO
Limitations on charges and interest.	24-14, -17	YES
Itemized closing statements.	24-16, -17	YES
Investment of funds.	34-13	NO
Willful destruction by tenant misdemeanor.	42-11	YES
Wrongful surrender to other than landlord misdemeanor.	42-13	YES
Unlawful seizure by landlord or removal by tenant misdemeanor.	42-22	YES
Penalties for abuse.	42A-27	NO
NO docketing of lien unless authorized by statute.	44A-12.1	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
False statement a misdemeanor (in connection with improvement to real property).	44A-24	YES
Designation of official; violation a misdemeanor.	44A-32	NO
Forgery or alteration of discharge or certificate; punishment.	47-112	NO
Prohibited activities in placement.	48-10-101	NO
Unlawful payments related to adoption (first offense).	48-10-102	NO
Unauthorized disclosure of information.	48-10-105	YES
Penalty for solemnizing without license.	51-7	NO
Obtaining license by false representation misdemeanor.	51-15	YES
Unlawful issuing of certificate of deposit.	53-63	REPEALED
Examiners disclosing confidential information.	53-125	REPEALED
Loans or gratuities forbidden.	53-126	REPEALED
Willfully and maliciously making derogatory reports.	53-128	REPEALED
Offenses declared misdemeanors; prosecution; employment of counsel; punishment.	53-134	REPEALED
Scope of Article; evasions; penalties; loans in violation of Article void	53-166	NO
Criminal penalties (violations of Article 16A. Money Transmitters Act)	53-208.26(a)	REPEALED
Criminal penalties (make a material, false statement in a document with the intent to deceive recipient).	53-208.26(b)	REPEALED
Criminal penalties (engage in business of money transmission without a license).	53-208.26(c)	REPEALED
Criminal penalties (violations of Article 16B, Money Transmitters Act).	53-208.58(a)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Criminal penalties (make a material, false statement in a document with the intent to deceive recipient).	53-208.58(b)	YES
Criminal penalties (engage in business of money transmission without a license).	53-208.58(c)	YES
Examiner disclosing confidential information.	53C-8-8	NO
Loans or gratuities forbidden.	53C-8-9	NO
Willfully and maliciously making derogatory reports.	53C-8-10	YES
Use of name exclusive (unlawful to use "credit union" or any derivation thereof).	54-109.5	NO
Examinations by Administrator; report (obstruction of examination/making false statement).	54B-56	YES
Criminal penalties (willful/knowing violation of Article 4 by a Savings Institutions Division employee).	54B-66(b)(1)	YES
Criminal penalties (willful/knowing violation of a cease and desist order).	54B-66(b)(2)	YES
Criminal penalties (making a false statement in any report or financial statement).	54B-66(c)	YES
Prohibited practices (defamation).	54B-78(1)	YES
Prohibited practices (false information and advertising).	54B-78(2)	YES
Examinations by Administrator; report (obstruction of examination/making false statement).	54C-54	YES
Prohibited practices (defamation).	54C-64(1)	YES
Prohibited practices (false information and advertising).	54C-64(2)	YES
Criminal penalties (willful/knowing violation of Article 5 by employee).	54C-79(b)(1)	YES
Criminal penalties (willful/knowing violation of a cease and desist order).	54C-79(b)(2)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Criminal penalties (making a false statement in any report or financial statement).	54C-79(c)	YES
Penalties imposed upon corporations, officers, and directors for failure to answer interrogatories.	55-1-32	YES
Penalties imposed upon corporations, officers, and directors for failure to answer interrogatories.	55A-1-32	YES
Penalty for signing false document (to be delivered to the Secretary of State for filing pursuant to Chapter 55, 55A, 55B, 57C, or 59).	55D-18	YES
Penalties imposed upon corporations, officers, and directors for failure to answer interrogatories.	57C-1-32	Repealed
Penalties imposed upon limited liability companies for failure to answer interrogatories.	57D-1-32	NO
Miscellaneous requirements for motor vehicle and home appliance service agreement companies (knowingly offer for sale/sale of a service agreement for a company which has failed to comply with section).	58-1-35(j)	YES
Books and papers required to be exhibited (refusal to exhibit/make false statement in regards to same).	58-2-200	YES
Corporation or association maintaining office in State required to qualify and secure license.	58-3-85	NO
Agent, adjuster, etc., acting without a license or violating insurance law.	58-3-130	NO
Penalties (surplus lines licensee who aids/represents nonadmitted insurer).	58-21-105	NO
Adjuster acting for unauthorized company.	58-33-115	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Agent, adjuster, etc., acting without a license or violating insurance law.	58-33-120	NO
Agents personally liable; representing unlicensed company prohibited; penalty.	58-33-95	NO
Licensee's books and records; reports; refusing to exhibit records; making false statements.	58-35-30	YES
Violations; penalties (various violations of Article 35. Insurance Premium Financing).	58-35-90	YES
License (offering or providing continuing care in retirement communities without a license).	58-64-5	NO
Criminal penalties (violation of Article 64. Registration, Disclosure, Contract, and Financial Monitoring Requirements for Continuing Care Facilities).	58-64-75	YES
Penalties and enforcement (violation of Health Maintenance Organization Act of 1979 or violation of chapter provision relating to health maintenance organizations).	58-67-165	NO
Violations; penalty (violation of Article 69. Motor Clubs and Associations).	58-69-35	NO
Permit from Commissioner of Insurance; penalty for violation; exception.	58-70-1	YES
Bail bondsmen and runners to be qualified and licensed; license applications generally	58-71-40(d1)	Repealed
Penalties for violations (violation of Article 71. Bail Bondsmen and Runners).	58-71-185	NO
Careless or negligent setting of fires.	58-81-5	YES
Authority of firemen; penalty for willful interference with firemen.	58-82-1	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Ticket may be refused intoxicated person; penalty for prohibited entry.	62-150	NO
Unauthorized manufacture or sale of switch-lock keys a misdemeanor.	62-322	NO
Willful injury to property of public utility a misdemeanor.	62-323	YES
Unlawful motor carrier operations (agent/employee of a motor carrier knowingly makes a false report of fares, charges, or other revenues collected by a carrier).	62-325(b)	YES
Furnishing false information to the Commission; withholding information from the Commission.	62-326	YES
Misuse of 911 system; penalty.	62A-12, 14-3	Repealed
Misdemeanor dangerous flying	63-18	NO
Tampering with aircraft made crime.	63-26	NO
Operation of aircraft while impaired (first offense).	63-27	NO
Airport obstructions illegal.	63-37.1	YES
License required for commercial operation of unmanned aircraft systems	63-96	NO
Licenses for sales organizations, management organizations and brokers	65-57	NO
Penalties (violation of Article 9. North Carolina Cemetery Act).	65-71	NO
Burial without regard to race or color (violation of section).	65-72	NO
Falsely acting as inspector.	66-4	NO
Failure of dealers of scrap, salvage, or surplus to keep record of purchases of certain items misdemeanor	66-10(a)	NO
Dealing in regulated metals property; penalties (first offense).	66-11	Repealed
Violation of Article made misdemeanor (Article 4A. Safety Features of Hot Water Heaters).	66-27.3	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Sale of merchandise by governmental units (violation of section).	66-58	NO
Manufacture or sale of antifreeze solutions compounded with inorganic salts or petroleum distillates prohibited.	66-66	NO
Consequences of signing false certificate or violating Article (false information on assumed business name certificate to be filed with Secretary of State).	66-71.14(a)	YES
Penalty for violation; each practice a separate offense (unlawful to engage in unfair trade practice).	66-75	NO
Advertising or conducting sale contrary to Article; penalty (Article 17. Closing-Out Sales).	66-81	NO
Penalty for selling product in violation of Article (Article 18. Labeling of Household Cleaners).	66-86	NO
Filing with Secretary of State (failure to file sale of business opportunity).	66-97	NO
Bond or trust account required (failure of loan broker to surety bond).	66-108	NO
Filing with Secretary of State (failure of loan broker to file disclosure statement).	66-109	NO
Bond or trust account required (failure of rental referral agency to post bond/establish a trust account).	66-145	NO
Certain sales prohibited (first offense).	66-254.1	NO
Misdemeanor violations (Failure to keep/produce a record of new merchandise or falsify such record under Article 32. Peddlers, Itinerant Merchants, and Specialty Markets).	66-257(a)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Violations (Part 3. Regulation of Sales and Purchases of Metals) (first violation).	66-424	NO
Penalty for attacks by dangerous dogs.	67-4.3	NO
Destruction or sale of relic from public lands made misdemeanor.	70-4	NO
Discovery of human remains and Notification of authorities (violation of section).	70-29, -40(a)	YES
False registration and use for immoral purposes made misdemeanor.	72-37	Repealed
Operator knowingly permitting violations, guilty of misdemeanor.	72-38	Repealed
Operation without license made misdemeanor.	72-43	Repealed
Violations of Article made misdemeanor (Article 4. Licensing and Regulation of Tourist Camps, etc.).	72-44	Repealed
Violation a misdemeanor (Article 6. Advertisements by Motor Courts, Tourist Camps, etc.).	72-51	NO
Keeping false toll dishes misdemeanor.	73-4	NO
Obstructing mining drains.	74-30	NO
Enforcement (violation of provisions of Chapter 74C. Private Protective Services).	74C-17	YES
Enforcement (violation of provisions of Chapter 74D. Alarm Systems).	74D-11	YES
Penalties and enforcement (violation of provisions of Chapter 74E. Company Police Act).	74E-13	NO
Penalties and enforcement (Chapter 74G. Campus Police Act).	74G-13	NO
Licenses required; violation (Locksmith Licensing Act) (first violation).	74F-3	NO
Unauthorized disclosure of tax information; violation a Class 1 misdemeanor.	75-28	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Application for numbers; . . . award of certificates; etc. (unlawful for agent to charge or accept any additional fee, remuneration, or thing of value for services).	75A-5(e)	Repealed
Commercial fishing boats; renewal of number (unlawful to give false information on application or falsify tax receipt as required).	75A-5.1(d)	Repealed
Vessel agents.	75A-5.2	YES
Operating boat or manipulating water skis, etc., in reckless manner; operating, etc., while intoxicated, etc.; depositing or discharging litter, etc. (willful pollution by medical waste of the waters of the State).	75A-10(d)	YES
Enforcement of Chapter (use of blue light).	75A-17(c)	NO
Surrender of certificate required when security interest paid (failure to surrender certificate of title).	75A-47	NO
Levy of execution, etc. (fraudulent transfer/assignment of title after a levy and seizure).	75A-48	YES
Power to compel examination (prohibiting release of information from RICO examination proceeding).	75D-6	NO
Navigable waters; certain practices regulated (unlawful to place medical waste in open waters of Atlantic Ocean).	76-40(a1)(1)	YES
Compulsory use of pilots (Cape Fear River, violation of section).	76A-16	NO
Compulsory use of pilots (Morehead City area, violation of section).	76A-46	NO
Failure of owner of dam to keep gates, etc.	77-7	NO
Obstructing passage of boats.	77-12	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
NO discharge of treated or untreated sewage in coastal waters; duty of marina owner or operator to report unlawful discharge	77-129	NO
Fraudulent use of timber trademark, misdemeanor.	80-20	YES
Marking gold articles regulated (various illegal acts involving marking gold).	80-40	YES
Marking silver articles regulated (various illegal acts involving marking silver).	80-41	YES
Marking articles of gold plate regulated (various illegal acts involving marking gold plate).	80-42	YES
Marking articles of silver plate regulated (various illegal acts involving marking silver plate).	80-43	YES
Violation of Article misdemeanor (Article 5. Stamping of Gold and Silver Articles).	80-44	YES
Offenses and penalties (violation of Chapter 81A. Weights and Measures Act of 1975, second and subsequent conviction).	81A-29	NO
Persons other than members of State Bar prohibited from practicing law (violation of statute).	84-4, -8	NO
Limited practice of out-of-state attorneys (violation of statute).	84-4.1, -8	NO
Prohibition as to practice of law by corporation (violation of statute).	84-5, -8	NO
Exacting fee for conducting foreclosures prohibited to all except licensed attorneys.	84-6, -8	NO
District attorneys, upon application, to bring injunction or criminal proceedings (violation of statute).	84-7, -8	NO
Unlawful for anyone except attorney to appear for creditor in insolvency and certain other proceedings.	84-9, -8	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Licenses required (unlawful to auction without a license).	85B-4(a), -9	NO
Duties and powers of Board (neglect/refuse to obey subpoena issued by the State Board of Examiners of Electrical Contractors).	87-42	YES
Practicing without license; practice defined; penalties (Article 1. Practice of Medicine Act).	90-18	NO
Limited volunteer dental license (practice of dentistry other than as authorized in this section).	90-37.1	NO
Unlawful practice of pharmacy.	90-85.21B, -85.40	NO
Violations (Article 4A. North Carolina Pharmacy Practice Act).	90-85.40	NO
Violations; penalties (possession of a controlled substance classified in Schedule II, III, or IV Not listed as felony possession).	90-95(a)(3) and (d)(2)	NO
Violations; penalties (possession of (1) greater than ½ ounce of marijuana or (2) 1/20 ounce of hashish).	90-95(a)(3) and (d)(4)	NO
Violations; penalties (possession in excess of 7 grams of synthetic cannabinoid).	90-95(a)(3) and (d)(4)	NO
Violations; penalties (possession of 1 gram or less of MDPV).	90-95(d)(1)	NO
Violations; penalties (violation of a Class 2 misdemeanor with a previous conviction under Article 5. North Carolina Controlled Substances Act).	90-95(e)(4)	NO
Prohibited acts; penalties (various controlled substance offenses).	90-108	YES (7), (13), (14), (15)
Inhaling fumes for purpose of causing intoxication.	90-113.10, -113.13	YES
Alcohol vaporizing devices prohibited.	90-113.10A, -113.13	YES
Possession of substances	90-113.11, -113.13	NO
Sale of substance.	90-113.12, -113.13	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Violation a misdemeanor (Article 5A. North Carolina Toxic Vapors Act)	90-113.13	NO
Possession of drug paraphernalia.	90-113.22	YES
Manufacture or delivery of drug paraphernalia.	90-113.23	YES
Pseudoephedrine; restrictions on sales (sold to person under 18) (first offense for purchaser or employee).	90-113.52(c), -113.56(b)	YES
Electronic record keeping (certain information to be submitted before purchase of pseudoephedrine product) (first offense for purchaser or employee).	90-113.52A, -113.56(b)	YES
Pseudoephedrine transaction limits (more than two packages containing more than six grams) (first offense for purchaser or employee).	90-113.53(a), -113.56(b)	YES
Pseudoephedrine transaction limits (more than three packages containing more than nine grams within 30 days) (first offense for purchaser or employee).	90-113.53(b),-113.56(b)	YES
Glass tubes or splitters; restrictions on sales (false statement).	90-113.82(b), -113.83	YES
Unauthorized practice; penalty for violation of Article (Article 6. Optometry)	90-118.11	NO
Practice without license a misdemeanor; injunctions (Article 8. Chiropractic Act).	90-147	NO
Violation of Article (Article 9A. Nursing Practice Act).	90-171.45	NO
Unlawful to operate without written authority of Board (Article 13E. Mutual Burial Associations).	90-210.84	NO
Penalty for failure to operate in substantial compliance with bylaws (bylaws of the Burial Association).	90-210.88	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Penalty for wrongfully inducing person to change membership (membership of a burial association).	90-210.89	YES
Penalty for making false and fraudulent entries (making of false entries on the books of a burial association with the intent to deceive or defraud any member thereof).	90-210.90	YES
Accepting applications without collecting fee and first assessment (accepting application into a burial association).	90-210.91	NO
Free services; failure to make proper assessments, etc., made a misdemeanor (free funeral, embalming, or ambulance services).	90-210.93	NO
Making false or fraudulent statement a misdemeanor (false or fraudulent statement made in application for membership or obtaining money from any burial association).	90-210.97	YES
Licensing and inspection (refusal to obey subpoena issued by N.C. Board of Funeral Service).	90-210.123	NO
[unlawful] Practice of dental hygiene.	90-233	NO
False representation of license prohibited.	90-270.78(b)	NO
Penalties (Article 20A. Assisted Living Administrator Act; NO certification).	90-288.20	NO
Violation a misdemeanor (Article 24. Licensed Professional Counselors Act).	90-341	NO
Penalties (NO license/athletic trainer).	90-538	NO
Enforcement; injunctive relief (Article 36. Massage and Bodywork Therapy Practice).	90-634(b3)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Violation a misdemeanor (Article 38. Respiratory Care Practice Act).	90-662	NO
Violations; penalty; injunction (Article 4. Registrations of Environmental Health Specialists/rules and regulations of the Board of Environmental Health Specialists Examiners).	90A-66	NO
Violations and penalties (Chapter 90C. N.C. Recreational Therapy Licensure Act).	90C-36	NO
Unlawful use of title "certified public accountant" by individual.	93-3, -13	NO
Use of title by firm.	93-4, -13	NO
Use of title by corporation.	93-5, -13	NO
Practice as accountants permitted; use of misleading titles prohibited.	93-6, -13	NO
Public practice of accounting by corporations prohibited.	93-8, -13	NO
Violation of Chapter; penalty (Chapter 93. Certified Public Accountants).	93-13	NO
Penalty for violation of Chapter (Chapter 93A. Real Estate License Law).	93A-8	NO
Registration required of time share projects; real estate salesmen license required.	93A-40(a), -56	NO
Penalty for violation of Article (Article 4. Time Shares).	93A-56	NO
License or certificate required of real estate appraisers.	93E-1-2.1, -1-13	NO
Prohibited use of title; permissible use of title.	93E-1-3.1, -1-13	NO
Disciplinary action by Board (various violations).	93E-1-12(a), -1-13	NO
Violation of this Article; criminal and civil penalty (Article 5B - Regulation of Job Listing Services).	95-47.21, -47.9(e)	NO
Enforcement of Article; rules; hearing; penalty; criminal penalties (unlawful to operate as a private personnel service without a license).	95-47.9(e)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Penalty for violation of Article (Article 12 – Units of Government and Labor Unions, Trade Unions, and Labor Organizations, and Public Employee Strikes).	95-99	NO
Violations; civil penalties; appeal; criminal penalties (violation of Article 14B – Amusement Device Safety Act, second or subsequent convictions).	95-111.13(i)	YES
Suspension of registration (tramway operator without registration).	95-124	NO
Criminal penalties (willful violation of Article 16 - Occupational Safety and Health Act of North Carolina which causes death of employee, subsequent convictions).	95-139	YES
Emergency information (unlawful disclosure of Hazardous Substance List).	95-194	YES
Penalties (making a knowing false statement or misrepresentation, or failure to disclose a material fact to obtain/increase a benefit under Chapter 96. Employment Security).	96-18(a)	YES
Penalties (an employing unit or officer or agent of such unit making a knowing false statement or misrepresentation, or failure to disclose a material fact to obtain/increase a benefit under Chapter 96. Employment Security).	96-18(b)	YES. .
Penalties (violation of G.S. 105-236(7)).	96-18(b1)	NO
Penalties (willful violation of Chapter 96. Employment Security).	96-18(c)	YES
Penalty for fraud (obtain/deny workers' compensation, amount at issue less than \$1,000).	97-88.2(a)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Penalty for health care providers (health care provider who knowingly charges/holds an employee financially responsible for the cost of any services provided for a compensable injury).	97-88.3(c)	YES
Legal and medical fees to be approved by Commission; misdemeanor to receive fees unapproved by Commission, or to solicit employment in adjusting claims; agreement for fee or compensation.	97-90	NO
Employers required to give proof . . . criminal penalties for failure to secure payment of compensation (employer neglects to secure compensation).	97-94(c)	YES
Employers required to give proof . . . criminal penalties for failure to secure payment of compensation (person with authority neglects to bring employer in compliance).	97-94(d)	YES
Damaging, defacing, or destroying monuments.	102-4	YES
Conveyance of property used for radioactive material disposal.	104E-10.2, -23	YES
Inspections, agreements, and educational programs (obstruction of authorized representative of the Department of Environment and Natural Resources).	104E-11, -23	YES
Impounding of materials (obstruction of authorized representative of the Department of Environment and Natural Resources).	104E-14, -23	YES
Transportation of radioactive materials.	104E-15, -23	YES
Prohibited uses and facilities.	104E-20, -23	YES
Penalties; injunctive relief (violate various provisions of Chapter 140E).	104E-23	YES
Confidential information protected.	104E-29	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Penalties; situs of violations; penalty disposition (willful failure to collect, withhold, or pay over tax).	105-236(a)(8)	YES
Penalties; situs of violations; penalty disposition (willful failure to file return, supply information, or pay tax).	105-236(a)(9)	YES
Criminal penalties (violation of Article 2A. Tobacco Products Tax).	105-113.33	NO
Misdemeanor (violation of Article 2C. Alcoholic Beverage License and Excise Taxes).	105-113.73	NO
Confidentiality of information (disclosure of information pursuant to taxation Article).	105-113.112	NO
Registration (submitting a false application under Tax Credits for Qualified Business Investments part of Article 4. Income Tax).	105-163.013	REPEALED
Advertisement to absorb tax unlawful.	105-164.9	NO
Penalties (willful failure to collect, withhold, or pay over tax).	105-236(8)	YES
Penalties (willful failure to file return, supply information, or pay tax).	105-236(9)	YES.
Secrecy required of officials; penalty for violation.	105-259	NO
Appeals to Property Tax Commission (willful failure or refusal to appear, to produce subpoenaed documents, or to testify).	105-290(d)	YES
Powers and duties of assessor (willful failure or refusal to appear, to produce subpoenaed documents, or to testify).	105-296(g)	YES
County board of equalization and review (willfully fail to appear, produce documents, or testify in response to a subpoena).	105-322(g)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Delivery of tax receipts to tax collector; prerequisites; procedure upon default (vote to deliver tax receipts before the tax collector has met prescribed requirements).	105-352(d)(1)	YES
Delivery of tax receipts to tax collector; prerequisites; procedure upon default (failure to account for prepayments).	105-352(d)(2)	NO
Prepayments (failure of chief accounting officer to perform his duties).	105-359(e)	NO
Procedure for attachment and garnishment (employer refuses to divulge list of employees liable for taxes).	105-368(i)(1)	NO
Procedure for attachment and garnishment (tax collector releases or discloses list).	105-368(i)(2)	NO
Settlements (failure to perform duty).	105-373	NO
Penalties for highway use of dyed diesel or other NON-tax-paid fuel.	105-449.117	NO
Acts that are misdemeanors (various acts violating Article 36C. Gasoline, Diesel, and Blends).	105-449.120(a)(1) - (12)	YES
Miscellaneous provisions (offenses (1) through (9) under 105-449.120 apply to the Alternative Fuel article; references to "motor fuel" are to be construed as references to alternative fuel).	105-449.139(b)	NO
Joint duties of Commissioner and Board (willful violation of regulations regarding cattle and cattle diseases).	106-22(3)	YES
Joint duties of Commissioner and Board (willful violations of regulations regarding insect pests).	106-22(5)	YES
Violation a misdemeanor (willfully resist or interfere with agent engaged in official duties while using a deadly weapon).	106-65.105D(e)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Penalties (Article 4F. Uniform Boll Weevil Eradication Act).	106-65.78	NO
Violation a misdemeanor (conducting rendering operations or collecting raw material in violation of Article 14A. Licensing and Regulation of Rendering Plants and Rendering Operations).	106-168.15	NO
Violations (falsify records of reports of processed eggs in violation of the Egg Promotion Tax).	106-245.38	YES
Distribution of milk in classification higher than that in which purchased.	106-263, -266	NO
Failure to file reports, etc., made unlawful.	106-265, -266	NO
Violation made misdemeanor (Article 28. Records and Report of Milk Distributors and Processors).	106-266	NO
Penalties (violation of Article 28B. Regulation of Production, Distribution, etc., of Milk and Cream).	106-266.14	REPEALED
False certification of purebred crop seeds made misdemeanor.	106-275	NO
Interference with Commissioner, etc., or other violation a misdemeanor; penalties.	106-284.20	NO
Manufacture and use of serum and virus restricted.	106-314	NO
Penalties for violation of §§ 106-361.1 to 106-316.5 (regarding anti-hog-cholera serum).	106-316.4	NO
Penalties for violation (Hog Cholera part).	106-321	NO
Violation of law a misdemeanor (Tuberculosis part).	106-349	YES
Penalty for violation (Cattle Tick part).	106-362	YES
Violation made misdemeanor (Brucellosis (Bang's Disease) part).	106-397	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Punishment for sale of animals known to be infected, or under quarantine.	106-398	YES
Penalties (violation of Feeding Garbage to Swine part).	106-405.9	YES
Violation made misdemeanor (Equine Infectious Anemia part).	106-405.19	YES
Regulation of use of livestock removed from market; swine shipped out of State.	106-411	NO
Transportation, sale, etc., of diseased livestock; burden of proving health; movement to laboratory; removal of identification.	106-414	NO
Violation made misdemeanor; responsibility for health, etc., of animals (Article 35. Public Livestock Markets).	106-417	YES
Violation a misdemeanor; fraudulent or deceptive acts (Article 38A. Cotton Warehouse Act).	106-451.28	NO
Organization and membership of tobacco boards of trade; rules and regulations; fire insurance and extended coverage required; price fixing prohibited (refusal of bidder to pay for tobacco bid for).	106-465	NO
Violation of Article or rules made misdemeanor (Article 44. Unfair Practices by Handlers of Fruits and Vegetables).	106-501	NO
Carnivals and similar amusements Not to operate without permit.	106-516.1	NO
Violations made misdemeanor (Part 4. Supervision of Fairs and Animal Exhibits, of Article 45).	106-520.7	NO
Interference with Inspector (with use of a deadly weapon).	106-549.34	YES
Prohibited acts (Article 49D. Poultry Products Inspection Act).	106-549.56, -549.59	NO
NO poultry in violation of Article processed.	106-549.57, -549.59	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Poultry Not for human consumption; records; registration.	106-549.58, -549.59	NO
Regulations authorized (Article 49D. Poultry Products Inspection Act).	106-549.61, -549.59	NO
Powers of Commissioner; subpoenas; mandamus; self-incrimination; penalties (neglect or refuse to attend and testify any lawful inquiry).	106-549.68(c)(1)	NO
Powers of Commissioner; subpoenas; mandamus; self-incrimination; penalties (willfully making a false statement in a report under the Poultry Inspection Act).	106-549.68(c)(2)	NO
Powers of Commissioner; subpoenas; mandamus; self-incrimination; penalties (unlawful publication of information without the authority of the Commissioner).	106-549.68(c)(4)	NO
Penalty for violation (Article 49E. Disposal of Dead Diseased Poultry at Commercial Farms).	106-549.71	NO
Criminal penalties (false or misleading information on license application, renewal, inspection or investigation).	106-568.57(b)	NO
Criminal penalties (tamper with or adulterate industrial hemp crop).	106-568.57(c)	NO
Punishment for violations (various violations of Article 56. Commercial Fertilizer Law).	106-668	NO
Fraudulent misrepresentation (receipt of public assistance \$400 or less).	108A-39(a)	YES
Fraudulent misrepresentation (obtains/attempts to obtain aid of food stamps \$400 or less).	108A-53(a)	YES
Fraudulent misrepresentation (presentation of food stamps received in violation of food stamp regulations).	108A-53(b)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Fraudulent misrepresentation (receipt of stamps for any consumable item knowing stamps to be procured fraudulently).	108A-53(c)	NO
Fraudulent misrepresentation (receipt of stamps whose exchange is prohibited by the United States Department of Agriculture).	108A-53(d)	NO
Illegal possession or use of food stamps (uses, transfers or acquires; value of the stamps is less than \$100).	108A-53.1(d)	YES
Protection of patient property (willful commingling of personal funds with health care facility funds).	108A-60(a)(1) and (b)	YES, NO
Medical assistance recipient fraud (value of assistance wrongfully obtained is \$400 or less).	108A-64(a), (b), (b1), and (c)(2)	YES , NO ,YES ,NO
Confidentiality of records (violation of statute).	108A-80	NO
Violation a misdemeanor (Article 3. Control Over Child-Caring Facilities).	110-48	NO
Mandatory child care providers' criminal history checks (child care provider intentionally falsifies any information for the criminal history check).	110-90.2	NO
Mandatory compliance (unlawful to offer/provide child care without complying with the Child Care Facilities article).	110-98(1), -103	NO
Fraudulent Misrepresentation (child care subsidy Not more than \$1,000)	110-107	NO
Violation of proclamation a misdemeanor (Governor's proclamation to close forests and woodlands).	113-60.3	NO
Use of spotter planes in commercial fishing operations regulated.	113-171.1	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
License required; general provisions governing licenses (Article 14B. Coastal Recreational Fishing Licenses, Article 25A. Unified Licenses).	113-174.1(f)	NO
New and renewal leases for shellfish cultivation; termination of leases issued prior to January 1, 1966 (leaseholder or agent knowingly makes a false statement on form describing shellfish leasehold).	113-202(o)	NO
New leases for marine aquaculture (false statement on required forms).	113-217(o)	NO
Arrest, service of process and witness fees of inspectors (acceptance by inspector of fee to which he is Not entitled).	113-222	NO
Regulatory power over property of agency; public hunting grounds; scheduling of managed big game hunts (willful removal, damage, or destruction to property of DENR or the Wildlife Resources Commission).	113-264	NO
Interference with artificial reef marking devices.	113-266	NO
Robbing or injuring hatcheries and other aquaculture operations (value of fish or aquatic species \$400 or less).	113-269(b), (c) and (e)	NO ,NO ,NO
Robbing or injuring hatcheries and other aquaculture operations (willful destruction or injury to an aquaculture facility).	113-269(d)	YES
License agents (various unlawful acts committed by licensing agents).	113-270.1(d)	NO
General provisions respecting licenses and permits (various violations of Article 21. Licenses and Permits Issued by the Wildlife Resources Commission).	113-275(j)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Licenses and permittees subject to administrative control; refusal to issue or reissue, suspension, and revocation of their licenses and permits; court orders of suspensions (circumvent powers of the Executive Director).	113-276.2(i)	NO
Suspension and revocation of licenses and permits in the discretion of the court; suspension of entitlement; court's power concurrent; definition of "conviction"; penalties (various violations during period of suspension).	113-277(b)	NO
Unlawful use of firearms (if bodily injury Not leading to the disfigurement or total or partial permanent disability of another person results from the unlawful activity).	113-290, -290.1(a)(2)	YES ,YES
Unlawful use of firearms (if bodily injury leading to the disfigurement or total or partial permanent disability of another person results from the unlawful activity).	113-290, -290.1(a)(3)	YES
Unlawful use of firearms (if death results from the unlawful activity).	113-290, -290.1(a)(4)	YES
Unlawful use of firearms (person is convicted of hunting or taking wild animals or wild birds while his hunting license is suspended).	113-290, -290.1(d)	NO
Manner of taking wild animals and wild birds (unlawful to use firearm with a silencer/weapon of mass death and destruction in taking wildlife).	113-291.1(c)	NO
Specific violations (unlawful taking, possession, transportation, sale, possession for sale or purchase of any bear or bear part).	113-294(c1)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Specific violations (unlawful taking, possession transportation, sale, possession for sale or purchase of any cougar).	113-294(c2)	NO
Specific violations (unlawful taking, possession, or transportation of any elk).	113-294(c3)	NO
Specific violations (willfully making any false or misleading statement in order to secure a license, permit, or other privilege or benefit to which the person in question is Not entitled).	113-294(h)	YES
Specific violations (unlawful taking, possession, transportation, sale, or purchase of any bald or golden eagle, alive or dead, or any part, nest or egg thereof).	113-294(l)	NO
Specific violations (transporting or breeding coyotes).	113-294(o)	YES
Specific violations (importing or possessing black-tailed or mule deer).	113-294(p)	YES
Specific violations (G.S. 113-291.1A. Computer-assisted remote hunting prohibited)	113-294(q)	NO
Unlawful harassment of persons taking wildlife resources (second or subsequent conviction).	113-295(a)	YES
Unlawful harassment of persons taking wildlife resources.	113-295(a1)	NO
Violations (Article 22 B. Interstate Wildlife Violator Compact).	113-300.8	NO
Arrest, service of process and witness fees of protectors (acceptance by protector of fee to which he is Not entitled).	113-303	NO
Legislative assent to specific federal acts (violation of subsection regarding consent to federal acts and regulations).	113-307.1(a)	NO
Bond of financial officer; audit (failure of chairman or executive head to audit).	113-315.9(b)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Unlawful acts; penalties (violation of Article 25. Endangered and Threatened Wildlife and Wildlife Species of Special Concern).	113-37	NO
Violation a misdemeanor (Article 27. Oil and Gas Conservation).	113-380	NO
Trade secret and confidential information determination; protection; retention; disclosure to emergency personnel.	113-391.1	NO
Subsurface injection of waste prohibited.	113-395.2	NO
Seismic or geophysical data collection.	113-395.4	NO
Violation a misdemeanor; injunctive relief (unlawful placement of an advertising structure or junkyard along the Blue Ridge Parkway).	113A-170	NO
Enforcement; penalties for violations (violation of Article 2. Energy Crisis Administration; knowing or willful submission of false information in any report required by the article).	113B-24(b), 14-3	YES
Board of directors; powers and duties (aiding or abetting student's unlawful absence from a regional school).	115C-23.866(3)	NO
Duties of teachers (making false reports, records, requisitions, or payrolls in performance of duties).	115C-307	NO
Employee health certificate (violation of section).	115C-323	NO
Assignment of student to a particular school (use of false information to change schools).	115C-366(a3)	NO
Penalty for violation (parent or guardian violation of Compulsory Attendance part).	115C-380	NO
Board of Trustees; powers and duties (aids or abets unlawful absence from school).	116-235(b)(2)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Board of trustees; powers and duties (parent or guardian aiding or abetting student's unlawful absence from a lab school).	116.239.8(5)	NO
Sale of automobile fuels and lubricants by deception as to quality, etc., prohibited.	119-7, -13	NO
Sale of fuels, etc., different from advertised name prohibited.	119-8, -13	NO
Imitation of standard equipment prohibited.	119-9, -13	NO
Juggling trade names, etc., prohibited.	119-10, 13	NO
Mixing different brands for sale under standard trade name prohibited.	119-11, 13	NO
Aiding and assisting in violation of Article prohibited.	119-12, -13	NO
Labels required on sealed containers; oil to meet minimum specifications.	119-13.2, -13.3	NO
Bond or letter of credit required as a condition of obtaining and keeping certain licenses (failure to comply with section).	119-15.3	NO
Certain kerosene sales prohibited.	119-16.3	NO
Inspectors, clerks and assistants (inspector may Not be interested in oils, gasoline or motor fuels).	119-25	NO
Powers and authority of inspectors (violation of motor fuel tax or inspection laws/refusal to cooperate with inspector).	119-32	NO
Investigation and inspection of measuring equipment; devices calculated to falsify measures (sell/possess any device used to falsify any measure).	119-33	NO
Adulteration of products offered for sale.	119-35	NO
Violation a misdemeanor (violation of Article 3. Gas and Oil Inspection, or any rules of various gasoline and oil governing bodies).	119-39	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Unlawful acts (various violations).	119-58, -59	NO
Sanctions for violations (violations of Article 5. Liquefied Petroleum Gases).	11-59	NO
Improper receipt of decedent's retirement allowance (Legislative Retirement System)	120-4.34	YES
Commission duties (unlawful to remove state-owned property).	120-32(3)	NO
Use and maintenance of buildings and grounds (violation of Legislative Administrative Officer rules).	120-32.1	NO
Punishment for violation (violation of Lobbying article).	120-47.9	YES
Gifts by lobbyists and lobbyist's principals prohibited (give a gift to a third party for a designated individual).	120C-303(a)(2)	YES
Punishment for violation.	120C-602	YES
Violation of Article a misdemeanor (Article 3. Salvage of Abandoned Shipwrecks and other Underwater Archaeological Sites).	121-28	NO
State/Local Consumer Advocate; penalty for willful interference.	122C-20	YES
Offenses relating to clients (clients receiving treatment in a 24-hour mental health/substance abuse facility).	122C-65	NO
Protection from abuse and exploitation; reporting (employee or volunteer borrows or takes personal property from a client).	122C-66(a1)	NO
Protection from abuse and exploitation; reporting (employee or volunteer fails to report abuse of client or taking of client's personal property).	122C-66(b)	NO
Appropriate political activity of State employees defined (unlawful to interfere with political activity while Not on duty).	126-13(b)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Compensation for assisting person in obtaining State employment barred; exception.	126-18	NO
Organizing company without authority.	127A-151	NO
Placing name on muster roll wrongfully.	127A-152	YES
Perjury; punishment (application pursuant to Article 1. Military Property Sales Facilities).	127B-5	YES
Receiving compensation of subordinates for appointment or retention; removal.	128-4	NO
Violations to be reported; misdemeanors (failure to report violation of G.S. 128-11 [Trust funds to be kept separate]).	128-12	NO
Administration and responsibility for operation of system (confidential information Not to be divulged).	128-28	NO
Improper receipt of decedent's retirement allowance (Retirement System for Cities, Counties and Towns)	128-38.5	NO
Protection against fraud.	128-32	YES
Access to information.	130A-15	NO
Embargo.	130A-21	NO
Misdemeanor (violations of Chapter 130A).	130A-25	NO
Violations of Article 4 (willfully and knowingly makes any false statement in a certificate, record, or report required by Article 4).	130A-26A(a)(1)	YES
Violations of Article 4 (removes or permits the removal of a dead body of a human being without authorization provided in Article 4).	130A-26A(a)(2)	YES
Violations of Article 4 (refuses or fails to furnish correctly any information in the person's possession or furnishes false information affecting a certificate or record required by Article 4).	130A-26A(a)(3)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Violations of Article 4 (fails, neglects, or refuses to perform any act or duty required by Article 4 or by the instructions of the State Registrar prepared under authority of the Article).	130A-26A(a)(4)	YES
Violations of Article 4 (charges a fee for performing any act or duty required by Article 4 or by the State Registrar pursuant to Article 4, other than fees specifically authorized by law).	130A-26(a)(5)	YES
Disposal of beverage containers required to be recycled (ABC permit holders); unclassified misdemeanor, G.S. 14-3.	130A-309.10(f3)	NO
Disposal of beverage containers required to be recycled (distribute plastic containers marked biodegradable but Not marked Not recyclable).	130A-309.10(e1)	NO
Investigation and control measures (failure to comply with communicable diseases control measures).	130A-144, -25(a)	NO
Vaccination required (unlawful to own unvaccinated dog, cat, or ferret).	130A-185, -25(a)	NO
Notice and confinement of biting animals (failure to Notify local health director).	130A-196(a), -25(a)	NO
Additional requirement for commercial hazardous waste facilities (fail to maintain or make available off-site copies of waste inventory).	130A-295.01(c)	NO
Additional requirement for commercial hazardous waste facilities (fail to give Notice to certain nearby property owners).	130A-295.01(d)	NO
Additional requirement for commercial hazardous waste facilities (fail to provide certain information).	130A-295.01(e)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Additional requirement for commercial hazardous waste facilities (fail to provide security).	130A-295.01(f)	NO
Additional requirement for commercial hazardous waste facilities (fail to install on-site wind monitor).	130A-295.01(h)	NO
Confidential information protected (knowing disclosure of information).	130A-304	NO
Requirements for computer manufacturers.	130A-309.93, -25	Repealed
Requirements for television manufacturers.	130A-309.93A, -25	Repealed
Requirements applicable to retailers.	130A-309.93B, -25	Repealed
Requirements for computer equipment manufacturers.	130A-309.134, -25	NO
Requirements for television manufacturers.	130A-309.135, -25	NO
Requirements applicable to retailers.	130A-309.136, -25	NO
Wastewater collection, treatment and disposal; rules (unlawful disposal of portable toilet sewage).	130A-335(h), -25(a)	NO
Photographs and video or audio recordings made pursuant to autopsy (remove, copy with intent to steal).	130A-389.1(h)	NO
Certification of adult care programs; purpose; definition; penalty (harm/willful neglect of person under care).	131D-6	NO
Failure to provide information (regarding any local confinement facility).	131D-13	NO
Penalties (willful violation of section).	131E-81(b)	YES
Penalties (violation of section/willful failure to perform any act required by section).	131E-109(d)	NO "penalties" statute



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Violation declared misdemeanor (operation of an ambulance without valid permit/after permit revoked).	131E-161	NO
Criminal penalties (violation of Chapter 131F).	131F-22	YES
Disposition of records at end of official's term (violation of section).	132-4	NO
Demanding custody (refusal to deliver records).	132-5	NO
Gifts and favors regulated (between contractor and public officer).	133-32	NO
Administration (social security information shall Not be divulged).	135-6(p)	NO
Protection against fraud.	135-10	NO
Improper receipt of decedent's retirement allowance (Teachers and State Employees Retirement).	135-18.11	YES
Improper receipt of decedent's retirement allowance (Judicial Retirement).	135-75.2	YES
Improper receipt of decedent's Disability Income Plan allowance.	135-111.1	YES
Powers of Department of Transportation (violation of rules and regulations regarding State highways).	136-18(5)	NO
Powers of Department of Transportation (unlawful use or attempted use of the highway right-of-way for commercial purposes).	136-18(9)	NO
Powers of Department of Transportation (violation of rules and regulations regarding placement of public facilities).	136-18(10)	NO
Powers of Department of Transportation (unlawful to construct or alter an airport or landing area without obtaining a written permit).	136-18(22)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Closing of State highways during construction; injury to barriers, warning signs, etc. (driving on closed highways; interference with barriers).	136-26	NO
Other than official signs prohibited.	136-32	NO
Misleading signs prohibited.	136-32.1	NO
Load limits for bridges; penalty for violations.	136-72	NO
Fastening vessels to bridges misdemeanor.	136-80	NO
Safety measures; guard chains or gates (violation of section).	136-89	NO
Obstructing highways and roads misdemeanor.	136-90	YES
Openings, structures, pipes, trees, and issuance of permits (unlawful to make an opening in a highway, or placing a structure thereon).	136-93	NO
Openings, structures, pipes, trees, and issuance of permits (plant, cut, trim, prune, or remove any vegetation in highway right-of-way without DOT permit).	136-93(b)	NO
Authorization required for test drilling or boring upon right-of-way; filing of record of results with Department of Transportation (violation of section).	136-102.2, -102.4	NO
Filing record of results of test drilling or boring with Secretary of Administration and Secretary of Environment, Health, and Natural Resources (violation of section).	136-102.3, 102.4	NO
Compliance of subdivision streets with minimum standards of the Board of Transportation required of developers (violation of section).	136-102.6	NO
Regulation of scenic easements (violation of rules and regulations regarding Article 10. Preservation, etc., of Scenic Beauty of Areas along Highways).	136-125	Repealed



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Outdoor advertising vegetation cutting or removal.	136-133.1(d), (f), (g)	NO
Enforcement provisions (violation of Article 11. Outdoor Advertising Control Act).	136-135	NO
Enforcement provisions (violation of Article 12. Junkyard Control Act).	136-145	NO
Obstructing highways; defective crossings; Notice; failure to repair after Notice misdemeanor.	136-192	NO
Ticket may be refused intoxicated person; penalty for prohibited entry.	136-197	NO
Decennial review of metropolitan planning organization boundaries, structure, and governance (violation of ethics provisions).	136-200.2(j)	YES
Department authorized to establish Rural Transportation Planning Organizations (violation of ethics provisions).	136-211(j)	YES
Concealing or failing to disclose material information.	138A-26	NO
Failure to file (Statement of Economic Interest).	138A-25(d)	NO
Failure to file (additional disclosure).	138A-25(e)	NO
Person expending an appropriation wrongfully.	143-32	YES
Penalties and punishment for violations (Executive Budget Act).	143-34(a)	NO
Unauthorized use of public purchase or contract procedures for private benefit.	143-58.1	NO
Division of appropriations to State institutions (unlawful to divert, use or expend any moneys appropriated to the current expenses of the institution).	143-114, -115	NO
Motor vehicle laws applicable to State parks and forests road system (speeding while eluding arrest).	143-116.8(b)(2), 20-141.5	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Procedure for letting of public contracts; purchases from federal government by State, counties; etc. (unlawful to disclose the contents of a bid without the permission of the bidder prior to invitation to open bidding).	143-129(b)	NO
Withdrawal of bid (unlawful for a bidder who is permitted to withdraw to supply material or labor to any person who has been awarded the contract for which the withdrawn bid was submitted).	143-129.1	NO
Engaging in business without license a Class 1 misdemeanor.	143-143.24	NO
Violations; penalty; injunction (violation of Article 9C. North Carolina Code Officials Qualification Board).	143-151.18	NO
Injury to water supply misdemeanor.	143-152	NO
Prohibited disposal of medical waste (willful violation of section).	143-214.2A(c)(1)	YES
Violations and penalties (violation of Floodplain regulation part).	143-215.58	NO
Rules and regulations (violation of a rule or regulation adopted by the Governor with the approval of the Council of State).	143-345.1	NO
Authority to collect data; administration and enforcement; confidentiality (willfully refusing to provide petroleum supply data, or willfully supplying false data).	143-345.14(d)	YES
Disorderly conduct in and injury to public buildings and grounds.	143-345.2	NO
Ordering powers and duties of the Commission (violation of the Environmental Management Commission rules during a period of emergency).	143-354(c)(2)	(b)-(e) repealed
Enforcement (violate emergency water rules).	143-355.6	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Subrogation rights; withholding of information a misdemeanor (from the Division of Vocational Rehabilitation).	143-547(f)	YES
State/Regional Long-Term Care Ombudsman; authority to enter; cooperation of government agencies; communication with residents (disclosure of information without proper authorization).	143B-181.20(a)	NO
Office of State/Regional Long-Term Care Ombudsman; penalty for willful interference.	143B-181.25	YES
Soil and Water Conservation Commission -- creation; powers and duties; compliance inspections (obstructing agent/employee of the Commission).	143B-294	Recodified
Economic Investment Committee Established (conflict of interest).	143B-437.54(c)	NO
Unauthorized use of public purchase or contract procedures for private benefit prohibited.	143B-1325	NO
Offenses for violation of Chapter (Chapter 143C. State Budget Act).	143C-10-1(a)	YES
Cutting timber on land before obtaining a grant.	146-43	NO
Unlawful to pay more than allowance.	147-9	NO
Orders, rules and regulations (violation of a rule/regulation promulgated by the Governor).	147-33.3	NO
Unauthorized use of public purchase or contract procedures for private benefit prohibited.	147-33.98	Repealed
Punishment for violation (Article 4C. Executive Branch Lobbying).	147-54.42	NO
Liability for false entries in his books (unlawful for the Treasurer to make false entries).	147-76	YES
Deposits to be secured; reports of depositories (violation of section).	147-79	NO
Deposit in other banks unlawful; liability.	147-80	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Health and Wellness Trust Fund; Commission established; membership qualifications; vacancies (conflict of interest).	147-86.32(i)	NO
Escaping or attempting escape from State prison system; etc. (charged with or convicted of a misdemeanor).	148-45(a)	NO
Escaping or attempting escape from State prison system; etc. (aid or assistance to escape/attempt to escape).	148-45(d)	NO
Disclosure of certain information prohibited.	153A-148.1	NO
Supervision of local confinement facilities (violation of statute).	153A-224	NO
Medical care of prisoners (local confinement facility; violation of statute).	153A-225	NO
Penalties for transferring lots in unapproved subdivisions.	153A-334	NO
Failure to perform duties (member of inspection department).	153A-356	YES
Permits (violation of section).	153A-357	NO
Stop orders (violation of stop orders).	153A-361	NO
Removing Notice from condemned building.	153A-367	NO
Failure to comply with order.	153A-371	NO
Duty of board; refusal to comply with their requirements misdemeanor.	156-33	NO
Sheriff to make monthly settlements; penalty.	156-111	NO
Duty of treasurer to make payment; penalty.	156-112	YES
Conveyance of land; change in assessment roll; procedure (willful failure of the chairman/member of the board of drainage commissioners to discharge duty).	156-114(e)	NO
Penalty for failure (board of commissioners fail to file statements or accounts).	156-132	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Fraudulent misrepresentation (person continues to receive housing assistance Not more than \$400).	157-29.1	YES
Annual independent audit; rules and regulations (government employee falsifying information to mislead auditor).	159-34(a)	NO
Power of investigation; subpoena power (willful false swearing under oath at council investigation).	160A-80	NO
Disclosure of certain information prohibited.	160A-208.1	NO
Penalties for transferring lots in unapproved subdivisions.	160A-375	NO
Board of adjustment (willful false swearing before board of adjustment).	160A-388	NO
Failure to perform duties (member of an inspection department).	160A-416	YES
Permits (violation of section).	160A-417	NO
Stop order (violation of stop order).	160A-421	NO
Certificates of compliance (violation of section).	160A-423	NO
Removing Notice from condemned building.	160A-427	NO
Failure to comply with order (order to take corrective action).	160A-431	NO
Ordinance authorized as to repair, closing, and demolition; order of public officer (occupation of building posted to be unfit).	160A-443(4)	NO
Index of registered instruments (violation of section).	161-22	NO
Register of deeds failing to discharge duties; penalty.	161-27	NO
Injury to prisoner by jailer.	162-55	NO
Scope and general rules (knowingly disclose how an individual has voted on an official voted ballot or record).	163-165.1(e)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Certain acts declared misdemeanors (knowingly disclose how an individual has voted on an official voted ballot or record).	163-274(b)	NO
Basic disclosure requirements for all political campaign advertisements (misrepresentation of authority).	163-278.39(c)	NO
Detailed accounts to be kept by treasurer.	163-278.307, 278.301	NO
Limitations on contributions.	163-278.308, -278.301	NO
Organizational report.	163-278.309, -278.301	NO
Quarterly report.	163-278.310, -278.301	NO
Limitations on contributions (make or accept a contribution that lacks a specific designation).	163-278.316(a), -278.301	NO
Limitations on contributions (legal expense fund to accept contributions from a corporation, etc., in excess of \$4,000 per calendar year).	163-278.316(d), -278.301	NO
Limitations on contributions (entity to make a contribution to a legal expense fund prohibited under subsection (d)).	163-278.316(e), -278.301	NO
Permitted uses of legal expense funds (use funds for purpose other than reasonable expenses actually incurred).	163-278.320(a), -278.301	NO
Permitted uses of legal expense funds (treasurer to distribute remaining monies in the fund to any entity other than those listed in the subsection).	163-278.320(b), -278.301	NO
Violation of Article a misdemeanor (Placement of Juveniles).	7B-3703	NO
Penalties (takes an acknowledgment/performs a verification or proof without personal knowledge of the signor's identity).	10A-12(b)	Repealed
Simple assault or a simple assault and battery or participates in a simple affray.	14-33(a)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Hazing; definition and punishment.	14-35	NO
Enticing minors out of State for the purpose of employment.	14-40	NO
Unlawful arrest by officers from other states.	14-43.1	NO
Communicating libelous matter to newspapers.	14-47	NO
Unauthorized taking or sale of labeled dairy milk cases or milk crates bearing the name or label of owner.	14-72.4	NO
Taking horses, mules, or dogs for temporary purposes.	14-82	NO
Obtaining property by false representation of pedigree of animals.	14-102	YES
Obtaining advances under promise to work and pay for the same.	14-104	YES
Obtaining advances under written promise to pay therefor out of designated property.	14-105	NO
Manufacture, sale, or gift of devices for cheating slot machines, etc.	14-109	NO
Defrauding innkeeper or campground owner.	14-110	NO
Obtaining ambulance services without intending to pay therefor - Buncombe, Haywood and Madison Counties.	14-111.1	YES
Obtaining ambulance services without intending to pay therefor - certain named counties.	14-111.2	YES
Obtaining merchandise on approval.	14-112	NO
Obtaining money by false representation of physical defect.	14-113	NO
Use of false or counterfeit credit device; unauthorized use of another's credit device; use after Notice of revocation.	14-113.1, - 113.6	YES
Avoiding or attempting to avoid payment for telecommunication services.	14-113.4, -113.6	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Making, distributing, possessing, transferring or programming device for theft of telecommunication service.	14-113.5, -113.6	NO
Financial transaction card fraud (except value greater than \$500 obtained in a 6-month period).	14-113.13, -113.17(a)	NO
Criminal receipt of goods and services fraudulently obtained (value less than \$500 obtained in a 6-month period).	14-113.15, -113.17(a)	NO
Fraudulent disposal of personal property on which there is a security interest.	14-114	NO
Secreting of property to hinder enforcement of lien or security interest.	14-115	NO
Fraudulent and deceptive advertising.	14-117	NO
Simulation of court process in connection with collection of claim, demand or account.	14-118.1	NO
Assisting, etc., in obtaining academic credit by fraudulent means.	14-118.2	NO
Acquisition and use of information obtained from patients in hospitals for fraudulent purposes.	14-118.3	NO
Disorderly conduct in and injuries to public buildings and facilities.	14-132	NO
Setting fire to grass and brushlands and woodlands (NO intent to damage property shown, first offense).	14-136	YES
Willfully or negligently setting fire to woods and fields.	14-137	YES
Injuries to dams and water channels of mills and factories.	14-142	NO
Injuring houses, churches, fences and walls.	14-144	YES
Removing, altering or defacing landmarks.	14-147	YES
Tampering with engines and boilers.	14-153	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Injuring fixtures and other property of electric-power companies.	14-156	YES
Interfering with telephone lines.	14-158	NO
Trespass to land on motorized all-terrain vehicle.	14-159.3	NO
Trespass for purposes of hunting, etc., without written consent a misdemeanor.	14-159.6(a)	YES
First degree trespass.	14-159.12(b)	NO
Willful and wanton injury to personal property; punishments (damage \$200 or less).	14-160(a)	YES
Removing boats.	14-162	NO
Assaulting a law enforcement agency animal, an assistance animal, or a search and rescue animal (willfully taunt, tease, harass, delay, obstruct, or attempt to delay or obstruct).	14-163.1(d)	YES
Malicious or willful injury to hired personal property.	14-165	NO
Subletting of hired property.	14-166	NO
Hiring with intent to defraud.	14-168	NO
Fornication and adultery.	14-184	NO
Opposite sexes occupying same bedroom at hotel for immoral purposes; falsely registering as husband and wife.	14-186	NO
Certain evidence relative to keeping disorderly houses admissible; keepers of such houses defined; punishment.	14-188	NO
Indecent exposure.	14-190.9	YES
Displaying material harmful to minors.	14-190.14	NO
Using profane, indecent or threatening language to any person over telephone; annoying or harassing by repeated telephoning or making false statements over telephone.	14-196	NO
Cyberstalking.	14-196.3	NO
Obstructing way to places of public worship.	14-199	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Restrictions as to adult establishments (second or subsequent offense).	14-202.11, -202.12	NO
Resisting officers.	14-223	YES
False reports to law enforcement agencies or officers.	14-225	YES
Interference with electronic monitoring devices (any other person).	14-226.3(e), (b)	NO
Interference with electronic monitoring devices (any other person solicits another).	14-266.3(e), (c)	NO
Secret listening to conference between prisoner and his attorney.	14-227.1, -227.3	YES
Secret listening to deliberations of grand or petit jury.	14-227.2, -227.3	YES
Solicitation during school hours without permission of school head.	14-238	NO
Private use of publicly owned vehicle.	14-247, -251	NO
Obtaining repairs and supplies for private vehicle at expense of State.	14-248, -251	NO
Carrying concealed weapons (other than pistol or gun).	14-269(a)	YES
Carrying concealed weapons (pistol or gun, first offense).	14-269(a1)	YES
Obstruction of health care facilities (first offense).	14-277.4	NO
Targeted picketing of a residence.	14-277.4A	NO
Unlawful injury to property of railroads.	14-279	NO
Unlawful impairment of operation of railroads.	14-279.1	YES
Operating trains and streetcars while intoxicated.	14-281	NO
Regulation of sale of explosives; reports; storage.	14-284.1	NO
Giving false fire alarms; molesting fire-alarm, fire-detection or fire-extinguishing system.	14-286	YES
Leaving unused well open and exposed.	14-287	NO
Disorderly conduct.	14-288.4	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Failure to disperse when commanded a misdemeanor; prima facie evidence.	14-288.5	YES
Authority of Governor to exercise control in emergencies.	14-288.15	Repealed
Governor's power to order evacuation of public building.	14-288.19	Repealed
Violation of emergency prohibitions and restrictions.	14-288.20A	NO
Advertising lotteries.	14-289	NO
Dealing in lotteries.	14-290	NO
Selling lottery tickets and acting as agent for lotteries.	14-291	NO
Selling "numbers" tickets; possession prima facie evidence of violation.	14-291.1	NO
Pyramid and chain schemes prohibited.	14-291.2	NO
Gambling.	14-292	NO
Allowing gambling in houses of public entertainment; penalty.	14-293	YES
Gambling with faro banks and tables.	14-294	NO
Keeping gaming tables, illegal punchboards or slot machines, or betting thereat.	14-295	NO
Allowing gaming tables, illegal punchboards or slot machines on premises.	14-297	YES
Opposing destruction of gaming tables and seizure of property.	14-300	NO
Operation or possession of slot machines; separate offenses.	14-301, -303	NO
Punchboards, vending machines, and other gambling devices; separate offenses.	14-302, -303	NO
Bingo (licensed exempt organization violation).	14-309.5(b)	NO
Accounting and use of proceeds.	14-309.11	NO
Beach bingo (greater than \$10 but less than \$50 prize).	14-309.14(1)	NO
Beach bingo (operating game without a license).	14-309.14(5)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Beach bingo (providing false information on license application).	14-309.14(5)c	NO
Raffles.	14-309.15	NO
Youth access to tobacco products, tobacco-derived products, vapor products, and cigarette wrapping papers (sale or distribution of tobacco products to a person under 18).	14-313(b)	NO
Youth access to tobacco products, tobacco-derived products, vapor products, and cigarette wrapping papers (failure to demand proof of age when vending products from a machine).	14-313(b1)	NO
Youth access to tobacco products, tobacco-derived products, vapor products, and cigarette wrapping papers (purchase of a tobacco product by a person under 18 years).	14-313(c)	NO
Youth access to tobacco products, tobacco-derived products, vapor products, and cigarette wrapping papers (send, aid or abet a person under 18 years to purchase a tobacco product).	14-313(d)	NO
Permitting young children to use dangerous firearms.	14-316	YES
Abandonment and failure to support spouse and children (first offense).	14-322	Repealed
Parents; failure to support (first offense).	14-326.1	NO
Manufacturing, trafficking in, transporting, or possessing poisonous alcoholic beverages (transport, sell or possess for purpose of sale).	14-329(c)	NO
Unauthorized dealing in railroad tickets.	14-343	NO
Sale of admission tickets in excess of printed price.	14-344	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Sale of convict-made goods prohibited.	14-346	NO
Influencing agents and servants in violating duties owed employers.	14-353	NO
Abandonment of animals.	14-361.1	YES
Animal fights, other than cock fights, and animal baiting.	14-362.1(a), (b) and (c)	NO
Molesting or injuring livestock.	14-366	NO
Placing poisonous shrubs and vegetables in public places.	14-368	NO
Wrongfully obtaining or divulging knowledge of telephonic messages.	14-370	NO
Violating privacy of telegraphic messages; failure to transmit and deliver same promptly.	14-371	NO
Unauthorized opening, reading or publishing of sealed letters and telegrams.	14-372	YES
Bribery of horse show judges or officials.	14-380.1	NO
Bribery attempts to be reported.	14-380.2	NO
Desecration of State and United States flag.	14-381	YES
Cutting timber on town watershed without disposing of boughs and debris; misdemeanor.	14-383	NO
Sexual harassment.	14-395.1	NO
Tattooing; body piercing prohibited.	14-400	NO
Misdemeanor to tamper with examination questions.	14-401.1	NO
Misdemeanor for detective to collect claims, accounts, etc.	14-401.2	NO
Inscription on gravestone or monument charging commission of crime.	14-401.3	NO
Practice of phrenology, palmistry, fortune-telling or clairvoyance prohibited.	14-401.5	Repealed
Unlawful to possess, etc., tear gas except for certain purposes.	14-401.6	NO
Soliciting advertisements for official publications of law-enforcement officers' associations.	14-401.10	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Unlawful removal or destruction of electronic dog collars (second or subsequent offense).	14-401.17	YES
Filing false security agreements	14-401.19	NO
Sale of certain weapons without permit forbidden.	14-402	NO
Issuance or refusal of permit; appeal from refusal; grounds for refusal; sheriff's fee (failure to surrender permit upon Notice of revocation).	14-404(h)(5)	NO
Dealer to keep record of sales.	14-406, -408	NO
Manufacture, sale and use of pyrotechnics prohibited; exceptions; sale to persons under the age of 16 prohibited.	14-410 -415	NO
Violations of this Article punishable as an infraction (violations other than under subsection (a) or (a1) punishable as Class 2 misdemeanors).	14-415.21(b)	NO
Certification of qualified retired law enforcement officers.	14-415.26	NO
Regulation of ownership or use of venomous reptiles.	14-417, -422(a)	NO
Regulation of ownership or use of large constricting snakes.	14-417.1, -422(a)	NO
Regulation of ownership or use of crocodilians.	14-417.2, -422(a)	NO
Prohibited handling of reptiles or suggesting or inducing others to handle.	14-418, -422(a)	YES
Engaging, etc., in business of debt adjusting a misdemeanor.	14-424	NO
Cyber-bullying; penalty (defendant is under 18).	14-458.1	NO
Cyber-bullying of school employee by student; penalty.	14-458.2	NO
Persons prohibited from becoming surety.	15A-541	NO
False qualification by surety.	15A-542	NO
Penalties for failure to appear (release was in connection with a misdemeanor charge).	15A-543(c)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Rights of accused persons; application for writ of habeas corpus (penalty for noncompliance).	15A-731, -730	YES
Sale to or purchase by underage persons (aider or abettor under the lawful age to purchase).	18B-302(c)(1)	NO
Inspection of licensed premises (obstruction of inspection).	18B-502(b)	NO
Violation of Article (Article 2. Protection of Black Bears).	19A-13	NO
Penalty for acting as dealer without license; disposition of animals in custody of unlicensed dealer.	19A-34	NO
Issuance and renewal of driver's license (operation of vehicle that driver is unauthorized to operate).	20-7(a), -35(a)	NO
Issuance and renewal of driver's license (operation of motorcycle without a license).	20-7(a1), -35(a)	NO
Issuance and renewal of driver's licenses (operation of motor vehicle without complying with restriction)	20-7(1), and (m), -35(a)	NO
Age limits for drivers of public passenger-carrying vehicles.	20-10, -35(a)	NO
Mopeds (unlawful to drive if under 16).	20-10.1, -35(a)	NO
Application of minors.	20-11	NO
Impaired instruction.	20-12.1, -35(a)	NO
Surrender of license.	20-29	NO
Commissioner may require reexamination; issuance of limited or restricted licenses.	20-29.1, -35(a)	NO
Violations of license or learner's permit provisions.	20-30(1)-(4), (6), (8), -35(a)	YES
Unlawful to permit unlicensed minor to drive motor vehicle.	20-32, -35(a)	NO
Verification of driver's license information (collect or retain information obtained through the use of the electronic system).	20-37.02(c)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Parking privileges for handicapped drivers and passengers (unlawful to sell handicapped license plate or placard).	20-37.6(c3)	NO
Special identification card (fraud or misrepresentation in application of or use thereof).	20-37.7	NO
Fraudulent use prohibited.	20-37.8	YES
Publicly owned vehicles to be marked; private license plates on publicly owned vehicles (failure to return a license or registration plates issued pursuant to this subsection).	20-39.19(g)	NO
Seizure of documents and plates (failure to surrender ownership document, license, plate, or duplicate thereof).	20-45(b)	NO
Division may summon witnesses and take testimony (failure to obey summons).	20-47(b)	NO
Owner to secure registration and certificate of title; temporary registration markers (failure to obtain registration or title).	20-50, -176(c)	YES
Manufacturer's certificate of transfer of new motor vehicle (delivery or acceptance of a manufacturer's certificate assigned in blank).	20-52.1(c)	NO
Registration of Mopeds; certificate of title (pursuant to 20-176).	20-53.4	NO
Registration of plates furnished by the Division; etc. (operating with false numbers).	20-63(f)	YES
Registration of plates furnished by the Division; etc. (alteration, disguise or concealment of numbers).	20-63(g)	YES
Renewal of vehicle registration (unlawful to operate vehicle on highway after sticker expires).	20-66(g), -176(c)	NO
Failure to disclose damage to a vehicle shall be a misdemeanor.	20-71.4	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Transfer by owner (delivery or acceptance of certificate of title assigned in blank).	20-72(b)	NO
New owner must get new certificate of title.	20-73	NO
When transferee is dealer or insurance company (delivery or acceptance of certificate of title assigned in blank).	20-75	NO
Partial payments (use of tag without payment).	20-94	NO
Remedies for the collection of taxes (unlawful for delinquent taxpayer to operate vehicle for common carriage of passengers and property).	20-99(c), -176(c)	Repealed
False report of theft or conversion a misdemeanor.	20-102.1	NO
Injuring or tampering with vehicle.	20-107	YES
Vehicles or component parts of vehicles without manufacturer's numbers (unlawful possession of vehicle/part).	20-108	YES
Violation of registration provisions (failure/refuse to surrender a canceled or revoked title certificate/registration card/registration number plate).	20-111(4), -176(c)	NO
Size of vehicles and loads (operation of vehicle whose gross vehicle weight/axle load extends maximum limits posted).	20-116(h)	NO
Officers may weigh vehicles and require overloads to be removed (failure to permit vehicle to be weighed or to remove an overload).	20-118.1, -176(c)	NO
Operation of flat trucks on State highways regulated; trucks hauling leaf tobacco in barrels or hogsheads (violation of section).	20-120	NO
Brakes (sale of NON-approved hydraulic brake fluid).	20-124(h)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Location of television viewers (unlawful to place television screen at any part forward of the back of the driver's seat).	20-136.1, -176(c)	NO
Unlawful use of a mobile phone.	20-137.4	NO
Unlawful use of mobile telephone for text messaging or electronic mail (while operating a school bus).	20-137.4A	NO
Driving by person less than 21 years old after consuming alcohol or drugs.	20-138.3	NO
Transporting an open container of alcoholic beverage after consuming alcohol (second or subsequent offense).	20-138.7	NO
Reckless driving.	20-140	YES
Speed restrictions (driving a commercial vehicle with a load subject to a permit while in excess of 15 miles per hour above either the posted speed limit or the restricted speed of the load permit).	20-141(j3)	NO
Unlawful racing on streets and highways (willfully in speed competition with another motor vehicle).	20-141.3(b)	YES
Overtaking a vehicle (failure to comply with this section is the proximate cause of a collision resulting in bodily injury or property damage).	20-149(b)(2)	NO
Approach of police, fire department or rescue squad vehicle or ambulances; driving over fire hose or blocking fire-fighting equipment; parking, etc., near police, fire department, or rescue squad vehicle or ambulance (violation of subsection).	20-157(a)	NO
Reports and investigations required in event of accident (violation of section).	20-166.1, -176(c)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Standing, sitting or lying upon highways or streets prohibited.	20-174.1	NO
Pedestrians soliciting rides, employment, business or funds upon highways or streets.	20-175(e)	NO
Nonsupport of illegitimate child by parents made misdemeanor.	49-2	YES
False statement regarding protective order a misdemeanor.	50B-4.2	YES
Registration requirement (Refund Anticipation Loan Act).	53-247	NO
Breach of marketing contract of cooperative association; spreading false reports about the finances of management thereof; misdemeanor.	54-157	YES
Prohibition against payment or receipt of title insurance kickbacks, rebates, commissions and other payments.	58-27-5	NO
Qualifications of operator; federal license (violation of statute).	63-20, -23	NO
Possession and exhibition of license certificate (violation of statute).	63-21, -23	NO
Aircraft; construction, design and airworthiness; federal registration (violation of statute).	63-26.1	NO
Reporting of complaints (knowingly filing a false and frivolous complaint alleging employer's failure to verify work authorization).	64-28	NO
Transportation of copper (violation of section).	66-11.1	Repealed
Violation made misdemeanor (Electrical Materials, Devices, Appliances and Equipment article).	66-27	NO
Persons who sell used goods on consignment must keep certain records (violation of section).	66-67.2	NO
Permits required (purchase of precious metals).	66-165, -172	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Perjury; punishment (in application for purchaser of precious metals).	66-167	NO
Items not to be modified.	66-170	Reserved for future codification
Purchasing from juvenile.	66-171	NO
Penalties (violation of Regulation of Precious Metal Business article).	66-172	NO
Portable smelters prohibited	66-173	Reserved for future codification
Misdemeanor violations (failure to display retail sales tax license/maintain daily registration list).	66-257(b)	NO
License required (conduct business as pawn broker).	66-389, -396	NO
Record-keeping requirements for pawnbrokers.	66-391, -396	NO
Record-keeping requirements for cash converters and e-buyers.	66-392, -396	NO
Prohibitions.	66-395, -396	NO
Penalties	66-396	YES
Permits (purchase of precious metals).	66-407, -413	NO
Perjury; punishment (in application for purchaser of precious metals).	66-408	YES
Items Not to be modified.	66-411, -413	NO
Purchasing from juvenile.	66-412, -413	NO
Penalties (violation of Regulation of Precious Metal Business article).	66-413	NO
Portable smelters prohibited.	66-414	NO
Criminal penalties (willful violation of Mine Safety and Health Act which causes death/serious physical harm; making false statement in document required under Article; knowingly selling equipment Not in compliance with Article).	74-24.14	YES
Operating boat or manipulating water skis, etc., in reckless manner; operating, etc., while intoxicated, etc.; depositing or discharging litter, etc. (operation of vessel or other water device in a reckless or dangerous manner).	75A-10(a)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Operating boat or manipulating water skis, etc., in reckless manner; operating, etc., while intoxicated, etc.; depositing or discharging litter, etc. (operation of a water device while under the influence of an impairing substance).	75A-10(b)	NO
Operating boat or manipulating water skis, etc., in reckless manner; operating, etc., while intoxicated, etc.; depositing or discharging litter, etc. (operation of a motor vessel while under the influence of an impairing substance/DWI).	75A-10(b1)	NO
Personal watercraft (livery's failure to carry liability insurance).	75A-13.3(c1)	NO
Boating safety course.	75A-16.1	NO
Enforcement of Chapter (stop when directed).	75A-17(e)	NO
Navigable waters; certain practices regulated (unlawful to place trash in State navigable waters).	76-40(a)	NO
Navigable waters; certain practices regulated (unlawful to erect sign or structure on floor of State navigable waters).	76-40(b)	NO
Navigable waters; certain practices regulated (failure to remove sign or structure from floor of State navigable waters).	76-40(c)	NO
Interfering with buoys, beacons, and day marks.	76-58	YES
Obstructing streams a misdemeanor.	77-13	NO
Obstructions in streams and drainage ditches.	77-14	NO
Misleading filings (willful violation other than knowing the statement made to be false or misleading in any material aspect).	78A-9, -57	NO
Misleading filings (willful violation other than knowing the statement made to be false or misleading in any material aspect).	78C-9, -39	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Criminal use of counterfeit trademark (retail value of goods or services exceeding \$3000).	80-11.1(b)(1)	NO
Violation a misdemeanor (Registration and Protection of Livestock Brands article).	80-66	NO
Commodities to be sold by weight, measure or numerical count (unlawful to sell liquid in any other manner, first offense).	81A-24, -29	NO
Offenses and penalties (various weight and measure offenses, first offense).	81A-29	NO
Control of condemned or rejected scale (unauthorized use).	81A-76, -80	NO
Secondhand scale (unauthorized use).	81A-77, -80	NO
Scale location (unlawful to give false indication of weight values).	81A-78, -80	NO
Suspension or revocation of registration; penalty (violation of Scale Technician article).	81A-80	NO
Violations of Chapter; penalties.	83A-16	NO
Unauthorized practice of contracting; impersonating contractor; false certificate; giving false evidence to Board; penalties.	87-13	NO
Violations made misdemeanor; employees of licenses excepted (unlawful to do business in plumbing/heating/fire sprinkler contracting without license).	87-25	NO
Penalty for violation of Article; powers of Board to enjoin violation (Electrical Contractors article).	87-48	NO
Unlawful practice.	88A-4	YES
Violation a misdemeanor; injunction to prevent violation (non-registered landscape architecture practice).	89A-8	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Unlawful to practice engineering or land surveying without registration; unlawful use of title or terms; Attorney General to be legal advisor.	89C-23	NO
Prohibitions; unlawful acts (various violations of Chapter 89E. Geologist Licensing Act).	89E-18, -22	NO
Misdemeanor (unlawful to practice/appear/present oneself as a geologist without license; violation of Chapter).	89E-22	YES
Prohibitions; unlawful acts (various violations of Chapter 89F. North Carolina Soil Scientist Licensing Act).	89F-19, -22	NO
Misdemeanors (unlawful to practice/appear/impersonate a soil scientist without license; violation of Chapter).	89F-22	YES
Rules and regulations of Board; violation a misdemeanor (Dentistry).	90-48	NO
Violations; penalties (possession of a controlled substance classified in Schedule V).	90-95(a)(3) and (d)(3)	NO
Violations; penalties (violation of an offense under this Article which requires a suspended sentence with a previous conviction under this Article).	90-95(e)(7)	NO
Advertisement of drug paraphernalia.	90-113.24	YES
Glass tubes or splitters; restrictions on sales.	90-113.82, -113.83	YES
Rules and regulations of Board; violation a misdemeanor (Optometry).	90-124	NO
Licensing (engaging in business of transporting dead body without a permit).	90-210.25(c)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Licensing (holding oneself out as practicing the profession of funeral directing, embalming, or funeral service, or operating a funeral establishment, without complying with licensing provisions).	90-210.25(f)	NO
Rulemaking, applicability, violations, and prohibitions of Article (violations of Cremations article).	90-210.134	NO
Prohibited acts (practice marriage or family therapy without a license).	90-270.48, -270.61	NO
Penalties (engage in practice of marriage and family therapy without a license).	90-270.61	NO
Unlawful acts (Certified Industrial Hygienists).	90-516	NO
Remedies (Article 5. Certification of On-Site Wastewater Contractors and Inspectors).	90A-81(d)	NO
Violation a misdemeanor (violation of Chapter).	90B-12	NO
License required (conduct business as pawn broker).	91A-5, -11	Re-codified by SL 2012-46
Record-keeping requirements for pawnbrokers.	91A-7	Re-codified by SL 2012-46
Record-keeping requirements for cash converters.	91A-7.1	Re-codified by SL 2012-46
Prohibitions.	91A-10, -11	Re-codified by SL 2012-46
Penalties.	91A-11	Re-codified by SL 2012-46
Practice without license unlawful (engage in any activity within the scope of practice of a hearing aid specialist).	93D-2, -15	NO
Violation of Chapter (North Carolina State Hearing Aid Dealers and Fitters Board).	93D-15	NO
Illegal act (interfere with/refuse to cooperate with the Commissioner of Labor).	95-25.21	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Inspection certificates required; misrepresentation as inspector (knowing and willful misrepresentation).	95-69.18	NO
Violations; criminal penalties (misrepresent as authorized inspector).	95-69.20(a)	YES
Violations; criminal penalties (make false statement).	95-69.20(b)	YES
Operation of unsafe device or equipment.	95-110.8, -110.11	YES
Violations; criminal penalties (misrepresentation as authorized inspector/making false statement required under Elevator Safety Act).	95-110.11	YES
Violations; civil penalties; appeal; criminal penalties (violations of Article 14B - Amusement Device Safety Act of North Carolina, first offense).	95-111.13(i)	YES
Criminal penalties (willful violation of Occupational Safety and Health Act of North Carolina which causes death of employee, first conviction).	95-139	YES
Criminal penalties (unlawful to make false statement pursuant to Article).	95-139	YES
Criminal penalties (unlawful to give advance Notice of inspection without authority from the Commissioner of Labor).	95-139	YES
Rates for insurance . . . wrongful or fraudulent representation of carrier punishable as misdemeanor.	97-100(g)	YES
Willful failure to pay estimated tax.	105-163.44	Repealed
Duty to list; penalty for failure (failure to list real property).	105-308	YES
Affirmation; penalty for false affirmation.	105-310	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Duty to file report; penalty for failure to file (public service company).	105-334	YES
Acts that are misdemeanors (various acts violating the Gasoline, Diesel, and Blends article).	105-449.120(b)(1) - (2)	YES
Violations of Article (various violations of Soil Additives Act).	106-50.35, -50.41	NO
Violation of Article, falsification of records, or misuse of registered pesticide a misdemeanor (Structural Pest Control Act).	106-65.33	NO
Violation a misdemeanor (violation of Article 4H, Bedding).	106-65.105D(a)	NO
Violation a misdemeanor (false information on application, renewal, inspection or investigation).	106-65.105D(b)	NO
Violation a misdemeanor (alter or remove a tag on embargoed item).	106-65.105D(c)	NO
Violation a misdemeanor (remove or dispose of embargoed item).	106-65.105D(d)	NO
Violation a misdemeanor (resist or interfere with agent performing official duties).	106-65.105D(e)	YES
Violations made misdemeanor (Food, Drugs and Cosmetics article).	106-124	NO
Unlawful acts; penalties; enforcement (various violations of the Plant Protection and Conservation Act).	106-202.19	YES
Representative average sample; misdemeanor, what deemed.	106-267.4	NO
Permits to dredge or fill in or about estuarine waters or state-owned lakes (violation of section).	113-229	NO
Orders to control activities in coastal wetlands (violation of section).	113-230	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Taking fish or wildlife by poisons, drugs, explosives or electricity prohibited; exceptions; possession of illegally killed fish or wildlife prohibited.	113-262	NO
License agents (failure to return agent materials after termination).	113-270.1(h)	N/A
Licensees and permittees subject to administrative control; refusal to issue or reissue, suspension, and revocation of their licenses and permits; court orders of suspensions (failure to return wildlife resources; obstructs an agent of the Wildlife Resources Commission).	113-276.2(g)	NO
Removal, destruction, or mutilation of posted Notices.	113-286	NO
Unlawful use of firearms (if property damage only results from the unlawful activity).	113-290, -290.1(a)(1)	YES
Specific violations (unlawful sale, possession for sale, or purchase of wildlife).	113-294(a)	NO
Specific violations (unlawful sale, possession for sale, or purchase of deer or wild turkey).	113-294(b)	NO
Specific violations (unlawful taking, possession, or transportation of wild turkey).	113-294(c)	NO
Specific violations (unlawful taking, possession, or transportation of any deer from land that has postings without permission of landowner).	113-294(d1)	NO
Specific violations (unlawful taking of a deer between a half hour after sunset and a half hour before sunrise with the aid of an artificial light).	113-294(e)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Specific violations (unlawful taking of wild animals or birds from or with the use of a vessel equipped with a motor or with a motor attached).	113-294(g)	NO
Specific violations (violation of G.S. 113-291.6, regulating trapping).	113-294(i)	NO
Specific violations (unlawful sale, possession for sale, or purchase of a fox, or the taking of a fox by unlawful trapping).	113-294(j)	NO
Specific violations (various violations involving migratory game birds).	113-294(m)	NO
Specific violations (violation of Commission rules regarding special permits for handicapped individuals).	113-294(n)	NO
Specific violations (baiting black bears).	113-294(r)	NO
Specific violations (removal from trap or transportation of live feral swine)	113-294(s)	NO
Unlawful harassment of persons taking wildlife resources (first conviction).	113-295(a)	YES
Penalties for violations of Article; repeated offenses (taking of a wild animal or bird in violation of Use of Poisons and Pesticides article).	113-300.3(b), -262(a)	NO
Punishment for making false entries, etc.	113-409	YES
Penalties (violation of the Sedimentation Pollution Control Act of 1973).	113A-64(b)	YES
Injunctive relief and penalties (violation of the Coastal Management article).	113A-126(c)	YES
Enforcement (violation of the Aquatic Weed Control article).	113A-226	NO
Prohibition on the disclosure of information about students.	115C-401.1	NO
Violation of curfew a misdemeanor; punishment.	116-213	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Unlawful substitution.	119-1, -4	NO
Brand or trade name of lubricating oil to be displayed.	119-2, -4	NO
Misrepresentation of brands for sale.	119-3, -4	NO
Display of grade rating on pumps, etc.; sales from pumps or devices Not labeled; sale of gasoline Not meeting standard indicated on label.	119-27	NO
Investigation and inspection of measuring equipment; devices calculated to falsify measures (inaccurate pump with seal broken).	119-33	YES
Investigation and inspection of measuring equipment; devices calculated to falsify measures (breaking or removing of seal).	119-33	YES
Use of likenesses of any seal or coat of arms of the Senate.	120-271	YES
Promise or threat to obtain political contribution or support.	126-14	NO
Threat to obtain political contribution or support.	126-14.1	NO
Penalties (violation of Military Property Sales Facilities article).	127B-7	NO
Penalties (violation of Discrimination Against Military Personnel article).	127B-15	NO
Penalty for false reporting under Article 9.	130A-26.2	YES
Notice and confinement of biting animals (failure to confine an animal).	130A-196(b)	NO
Removal or destruction of warning signs.	130A-233.2	REPEALED
Penalties for making false statements (on application, report, etc. under the Provisions for Comprehensive Management of Coal Combustion Residuals).	130A-309.224	NO
Violations of Article; enforcement.	130A-310.55(a)(3)	YES
Violations of Article; enforcement.	130A-310.55(a)(4)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Photographs and video or audio recordings made pursuant to autopsy (disclose photograph or recording without authorization).	130A-389.1(c)	NO
Photographs and video or audio recordings made pursuant to autopsy (other violations of 130A-389.1).	130A-389.1(g)	YES
Authority of administrator; refusal to leave after discharge.	131E-90	NO
Damaging or removing signs; rewards.	136-33	YES
Unlawful use of National System of Interstate and Defense Highways and other controlled access facilities (various violations).	136-89.58	YES
Rules concerning conduct; violation (violation of rules concerning regulation and department of persons in the buildings and grounds of institutions).	143-116.6	NO
Violation is a misdemeanor (violation of the North Carolina Home Inspector Licensure Board article).	143-151.59	NO
Enforcement procedures: criminal penalties (various violations of rules and regulations promulgated by the North Carolina Environmental Management Commission).	143-215.6B(f)	YES
Enforcement procedures: criminal penalties (unlawful to make a false statement in any report; unlawful to make a false statement in proceedings involving the Water and Air Resources article or the Environmental Management Commission).	143-215.6B(i)	YES
Enforcement procedures (violation of Water and Air Quality Reporting part that is also a requirement under Title V).	143-215.69(a)(2), -114B	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Enforcement (violation of Leaking Petroleum Underground Storage Tank Cleanup part).	143-215.69(a)(2), -114B	YES
Enforcement procedures: criminal penalties (negligent violation of various prohibitions in the Storage Tank Cleanup part found under 143-215.94W(a)(1)-(9)).	143-215.94K, -215.94X(a)	YES
Enforcement (Part 2D. Training of Underground Storage Tank Operators, Article 21A of Chapter 143) (negligent violation of G.S. 143-215.94W(a)(1)-(9)).	143-215.94X(a)	YES
Enforcement (Part 2D. Training of Underground Storage Tank Operators, Article 21A of Chapter 143) (negligent violation of G.S. 143-215.94W(a)(1)-(9)).	143-215.94TT, 215.94X(a)	YES
Penalties (violation of Oil Refining Facility Permits part).	143-215.102(b)	YES
Enforcement procedures; criminal penalties (dry-cleaning solvents).	143-215.104Q(a)	YES
Air quality standards and classifications (violation of any classification, standard or limitation).	143-215.107, -215.114B(f)	YES
Emissions of oxides of nitrogen (NOx) and sulphur dioxide (SO2) from certain coal-fired generating units (violation of any classification, standard or limitation).	143-215.107D, -215.114B(f)	YES
Control of sources of air pollution; permits required (violation of any term, condition, or requirement of a permit).	143-215.114B	YES
Special orders (violation of a special order or other appropriate document).	143-318.17	YES
Miscellaneous prohibited acts (various violations of the Pesticide Board).	143-443,-469	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Rules and regulations concerning methods of application (unlawful use of an active pesticide ingredient that is Not registered as such).	143-458(c), (e)	NO
Rules and regulations (unlawful to combine prohibited substances).	143-458(d), (e)	NO
Reporting of shipments and volumes of pesticides (failure to file a report when due).	143-459, -469	NO
Violations (willful violation of any provision of Article 68, the Regulation of Boxing).	143-658(b)	YES
Obstruction of audit.	143-749	YES
North Carolina Battleship Commission-employees Not to have interest (unlawful for Commission member to obtain extraneous fees or interests).	143B-74.3	NO
Obstruction of audit.	147-64.7A	YES
Privacy of employee personnel records (willful and malicious permission to access information/unauthorized removal or examination).	162A-6.1	YES
Acceptance of application forms (failure to make good faith effort to deliver form/attempting to sell a completed form or condition delivery upon payment).	163-82.6(a)	Recodified as 163A-865, NO
Acceptance of application forms (failure to make good faith effort to deliver form).	163-82.6(a1)(1)	Recodified as 163A-865, NO
Acceptance of application forms (sell/attempting to sell a completed form or condition delivery upon payment).	163-82.6(a1)(2)	Recodified as 163A-865, NO
Acceptance of application forms (change a person's information on a voter registration form prior to delivery to the county board of elections).	163-82.6(a1)(3)	Recodified as 163A-865, NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Acceptance of application forms (coerce a person into marking a party affiliation other than the party affiliation he desires).	163-82.6(a1)(4)	Recodified as 163A-865, NO
Acceptance of application forms (offer a person a voter registration form with the party affiliation premarked).	163-82.6(a1)(5)	Recodified as 163A-865, NO
Persons may Not sign name of another to petition.	163-221	Recodified as 163A-1278, NO
Violations by chairman of county board of elections (willful violation of section).	163-236	Recodified as 163A-1316, YES
Certain violations of absentee ballot law made criminal offenses (false statements under oath).	163-237(a)	Recodified as 163A-1317, YES
Certain violations of absentee ballot law made criminal offenses (false statements Not under oath).	163-237(b)	Recodified as 163A-1317, YES
Certain violations of absentee ballot law made criminal offenses (candidate witnessing absentee ballot of NO n-relative).	163-237(b1)	Recodified as 163A-1317, NO
Certain violations of absentee ballot law made criminal offenses (Absentee Ballot article).	163-237(d)	Recodified as 163A-1317, YES
Intimidation of voters by officers made misdemeanor.	163-271	Recodified as 163A-1385, NO
Offenses of voters; interference of voters; penalty (various offenses).	163-273	Recodified as 163A-1318, NO
Certain acts declared misdemeanors (various offenses involving primaries and elections).	163-274(a)	Recodified as 163A-1388, YES (9), (11), (13)
Appointment of political treasurers (violation of section).	163-278.7, -278.27	Recodified as 163A-1412, -1445, NO
Detailed accounts to be kept by political treasurers (violation of section).	163-278.8, -278.27	Recodified as 163A-1414, -1445, NO
Statements filed with Board (violation of section).	163-278.9,- 278.27	Recodified as 163A-1418, -1445, NO
Procedure for inactive candidate or committee (violation of section).	163-278.10, -278.27	Recodified as 163A-1420 -1445, NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Contents of treasurers' statement of receipts and expenditures (violation of section).	163-278.11,- 278.27	Recodified as 163A-1422 -1445, NO
Special reporting of contributions and independent expenditures (violation of section).	163-278.12, -278.27	Recodified as 163A-1423 -1445, NO
Limitations on contributions (Raised limits to \$5,000 and repeals subsection 278.13(e) (donation limitations for judicial candidates).	163-278.13, -278.27	Recodified as 163A-1425 -1445, NO
Limitations on fund-raising during legislative session.	163-278.13B,- 278.27	Recodified as 163A-1426 -1445, NO
NO contributions in names of others; NO anonymous contributions; contributions in excess of \$100 (violation of section).	163-278.14, -278.27	Recodified as 163A-1428 -1445, YES
Regulations regarding timing of contributions and expenditures (violation of section).	163-278.16, -278.27	Recodified as 163A-1431 -1445, NO
Use of contributions for certain purposes.	163-278.17, -278.27	Recodified as 163A-1434 -1445, NO
Statements of media receiving campaign expenditures (violation of section).	163-278.18, -278.27	Recodified as 163A-1435 -1445, NO
Normal commercial changes for political advertising (violation of section).	163-278.19, -278.27	Recodified as 163A-1434 -1445, YES
Violations by corporations, business entities, labor unions, professional associations and insurance companies (various violations involving campaign contributions).	163-278.20, -278.27	Recodified
Disclosure before soliciting contributions (unlawful to solicit contributions prior to disclosing information regarding the candidate).	163-278.39, -278.27	Recodified as 163A-1476 -1445, NO
Basic disclosure requirements for all political advertisements (violation of section).	163-278.40A, -278.27	Recodified as 163A-1496 -1445, NO
Organizational report (violation of section).	163-278.40B, -278.27	Recodified as 163A-1497 -1445, NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Campaign report; partisan election (violation of section).	163-278.40C, -278.27	Recodified as 163A-1498 -1445, NO
Campaign reporting; Nonpartisan election and runoff (violation of section).	163-278.40D, -278.27	Recodified as 163A-1499 -1445, NO
Campaign report; Nonpartisan primary and election (violation of section).	163-278.40E, -278.27	Recodified as 163A-1500 -1445, NO
Campaign report; Nonpartisan plurality (violation of section).	163-278.40J, -278.27	Recodified as 163A-1505 -1445, NO
Other committees report by municipal schedule.	163-278.42(g), -278.44	Recodified
Distribution of campaign funds; legitimate expenses permitted (unlawful use of funds).	163-278.44	Recodified
Crime; punishment (violation of Appropriations from the North Carolina Political Parties Financing Fund article).	163-278.83	Recodified
Penalties (Electioneering Communications; Article 22E of Chapter 163).	162-278.93	Repealed
Penalties (Mass Mailings and Telephone Banks: Electioneering Communications; Article 22F of Chapter 163).	7B-311(c)	YES
Central registry; responsible individuals list.	14-4(a)	NO
Issuing substitutes for money without authority	14-15	YES
Receiving or passing unauthorized substitutes for money.	14-16	NO
Failure of owner of property to comply with orders of public authorities.	14-68	NO
Failure of officers to investigate incendiary fires.	14-69	NO
Concealment of merchandise in mercantile establishments (first offense).	14-72.1(a) and (c)	YES
Concealment of merchandise in mercantile establishments (changing price tags, first offense).	14-72.1(d) and (e)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Removal of shopping cart from shopping premises.	14-72.3	NO
Obtaining certificate of registration of animals by false representation.	14-103	YES
Obtaining property in return for worthless check, draft or order.	14-106	YES
Worthless checks; multiple presentment of checks (amount \$2,000 or less) (first, second, and third convictions).	14-107(d)(1)	YES
Making unneeded ambulance request in certain counties.	14-11.3	YES
Gasoline price advertisements (must indicate whether price is dependent on purchaser pumping fuel).	14-117.2	NO
Theft of cable television service.	14-118.5	YES
Taking, etc., of certain wild plants from land of another.	14-129	NO
Unlawful to take sea oats	14-129.2	NO
Trespass on land under option by the federal government.	14-131	NO
Operating motor vehicle upon utility easements after being forbidden to do so.	14-134.2	NO
Setting fire to grassland, brushland, or woodland.	14-138.1	NO
Certain fire to be guarded by watchman.	14-140.1	NO
Unlawful posting of advertisements.	14-145	NO
Injuring fixtures and other property of gas companies.	14-152	NO
Unauthorized connections with telephone or telegraph.	14-155	NO
Felling trees on telephone and electric-power wires.	14-157	NO
Injuring buildings or fences; taking possession of house without consent.	14-159	NO
Mutilation, etc., of "posted" signs; posting signs without consent of owner or agent.	14-159.8	NO
Second degree trespass.	14-159.13	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Vandalism; penalties.	14-159.21	NO
Sale of speleothems unlawful; penalties.	14-159.22	NO
Failure to return hired property.	14-167	NO
Conversion by bailee, lessee, tenant or attorney-in-fact (value of property converted \$400 or less).	14-168.1	NO
Failing to return rented property on which there is purchase option.	14-168.4	NO
Using profane or indecent language on public highways; counties exempt.	14-197	NO
Restrictions as to adult establishments (first offense).	14-202.11, -202.12	NO
Violating orders of court.	14-226.1	NO
Failing to attend as witness before legislative committees.	14-227	NO
Disorderly conduct at bus or railroad station or airport.	14-275.1	NO
Impersonation of firemen or emergency medical services personnel.	14-276.1	NO
Trespassing on railroad right-of-way.	14-280.1	NO
Throwing, dropping, etc., objects at sporting events.	14-281.1	NO
Making false ambulance request.	14-288	NO
Powers of municipalities to enact ordinances to deal with states of emergency.	14-288.12	NO
Powers of counties to enact ordinances to deal with states of emergency.	14-288.13	NO
Power of chairman of board of county commissioners to extend emergency restrictions imposed in municipality.	14-288.14	NO
Permitting minors to enter barrooms or billiard rooms.	14-317	NO
Failing to pay minors for doing certain work.	14-321	NO
Blacklisting employees.	14-355	NO
Local: Violation of certain contracts between landlord and tenant.	14-358	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Local: Tenant neglecting crop; landlord failing to make advances; harboring or employing delinquent tenant.	14-359	NO
Local: Tenant neglecting crop; landlord failing to make advances; harboring or employing delinquent tenant.	14-363.1	NO
Living baby chicks or other fowl, or rabbits under eight weeks of age; disposing of as pets or novelties forbidden.	14-382	NO
Injuring Notices and advertisements.	14-384	YES
Defacing or destroying public Notices and advertisements.	14-385	YES
Commercialization of American Legion emblem; wearing by nonmembers.	14-395	NO
Littering (15 pounds or less, Not for commercial purposes).	14-399(c)	YES
Littering (over 15 pounds up to 500 pounds, Not for commercial purposes).	14-399(d)	YES
Persons, firms, banks and corporations dealing in securities on commission taxed as a private banker.	14-401.7	NO
Parking vehicle in private parking space without permission.	14-401.9	NO
Failure to give right to cancel in off-premises sales.	14-401.13	YES
Unlawful removal or destruction of electronic dog collars (first offense).	14-401.17	YES
Unlawful manufacture, sale, delivery, or possession of Salvia divinorum (third offense).	14-401.23	YES
Intoxicated and disruptive in public.	14-444	NO
Computer trespass; penalty (violation of section).	14-458	YES
Riding on train unlawfully.	14-460	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Application of State highway and motor vehicle laws at the academy; authority of Department of Justice to regulate traffic, etc. (violation of ordinance under section).	17D-4	NO
Sale to or purchase by underage persons (purchase, possession, or consumption by 19 or 20-year old).	18B-302(i)	NO
Manner of transportation (open containers).	18B-401(a)	NO
Penalty for operation of pet shop, kennel or auction without license.	19A-33	NO
Penalty for failure to adequately care for animals; disposition of animals.	19A-35	NO
Penalty for violation of Article by dog warden.	19A-36	NO
Issuance and renewal of driver's licenses (failure to obtain a license before driving a motor vehicle).	20-7(a), 35(a1)(1)	NO
Issuance and renewal of driver's licenses (failure to comply with license restrictions).	20-7(a), -35(a1)(2)	NO
Unlawful to drive while license revoked or while disqualified (license Not revoked for impaired driving).	20-28(a)	NO
Unlawful to permit violations of Article 2 (permit unlicensed persons to operate motor vehicle).	20-34, -35(a1)(3)	NO
Commercial driver's license required.	20-37.12, -37.21	NO
Unlawful for lienor who holds certificate of title Not to surrender same when lien satisfied.	20-59	NO
Registration of plates furnished by the Division; etc. (neglect or refuse to clean registration plate).	20-63(e)	YES
Registration of plates furnished by the Division, etc. (failure of a former contract agent to comply with posting requirements).	20-63(h2)	NO
Penalty for making false statement about transfer of vehicle.	20-74	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Transfer by operation of law; sale under mechanic's or storage lien; unclaimed vehicles (failure to report unclaimed vehicle).	20-77(d)	NO
Violation of registration provisions (drive/permit to be driven a non-registered vehicle).	20-111(1)	YES
Violation of registration provisions (display/cause/permit to be displayed fictitious or canceled/revoked license or registration plate).	20-111(2)	YES
Violation of registration provisions (giving/lending license plate for use on motor vehicle other than that for which issued).	20-111(3)	YES
Limitations on tandem trailers and semitrailers on certain North Carolina highways (driver of vehicle with a semitrailer less than 50 feet violating subsections (a) or (b) of this section).	20-115(i)	YES
Windows and windshield wipers (violation of window tinting regulations).	20-127(d)	NO
Operating a commercial vehicle after consuming alcohol (first offense).	20-138.2A	NO
Operating a school bus, school activity bus, child care vehicle, ambulance, other EMS vehicle, firefighting vehicle, or law enforcement vehicle after consuming alcohol (first offense).	20-138.2B	NO
Transporting an open container of alcoholic beverage after consuming alcohol (first offense).	20-138.7	NO
Speed restrictions (driving a vehicle on a highway either 15 miles per hour above the speed limit or over 80 miles per hour).	20-141(j1)	NO
Transportation of spent nuclear fuel (violation of section).	20-167.1	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Infractions and criminal offenses for violations of inspection requirements (inspection without a license).	20-183.8(b1)	NO
Power to regulate; rules and regulations establishing minimum standards (violation of regulations applicable to motor carriers of migratory farm workers).	20-215.2, -215.4	NO
Standard qualifications for school bus drivers; speed limit for school buses and school activity buses (violation of section).	20-218	NO
Speed limit for nonprofit activity buses.	20-218.2	NO
Removal of unauthorized vehicles from private lots (certain named counties).	20-219.2	NO
Surrender of license (willfully failing to return license).	20-279.30, -279.31(c)	YES
Operation of motor vehicle without financial responsibility a misdemeanor.	20-313(a)	NO
Penalties for violating Article or regulations (Driver Training School Licensing Laws).	20-327	NO
Refusal to permit Department of Crime Control and Public Safety to inspect records made misdemeanor.	20-390	YES
Unlawful motor carrier operations.	20-396	YES
Household goods carrier; marking or identification of vehicles.	20-398	NO
Plats and subdivisions; mapping requirements (violation of section).	47-30, -32.2	YES
Photographic copies of plats, etc. (violation of section).	47-32, -47-32.2	YES
Directors, officers, etc., accepting fees, etc.	53-86	Repealed
Unlawful use of terms indicating that business is bank or trust company.	53-127	Repealed
License required; licensee records	53-243.02, -243.12	Repealed



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Criminal penalties for unlicensed activity.	53-244.112	NO
Rate evasion fraud; prevention programs.	58-2-164(b)	YES
Publication of assets and liabilities; penalty for failure.	58-3-60	NO
Company owned or controlled by alien government prohibited from doing business.	58-16-20	NO
Penalties (solicitation of membership to a fraternal benefit society without a license to do so).	58-24-180(b)	NO
Penalties (refusal to comply with provisions of the Article [Fraternal Benefits Societies]).	58-24-180(c)	YES
Unauthorized wearing of badges; etc.	58-25-70	YES
Competitive selection of payroll education insurance products paid for by State employees (unlawful for State employee to influence Employee Insurance Subcommittee/open sealed insurance product proposal).	58-57-65, -80	Repealed
Penalties (unlawful to credit life insurance in excess of statutory amounts).	58-57-80	Repealed
Penalty for noncompliance (violation of Hotels; Safety Provisions article).	58-81-10	NO
False representation of household goods carrier certificate unlawful.	62-280.1	NO
Refusal to permit Commission to inspect records a misdemeanor.	62-313	YES
Riding on a train unlawfully; venue.	62-319	YES
Unlawful motor carrier operations (offer receive any rebate, concession or discrimination in violation of the chapter; fraudulent evasion of regulations).	62-325(a)	YES
Unlawful motor carrier operations (fraudulent acts by a motor carrier).	62-325(b)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Unlawful motor carrier operations (any person at a bus terminal who solicits any other person to use some form of transportation for compensation rather than the lawful use of the transportation).	62-325(c)	NO
Gifts to members of Commission, Commission employees, or public staff (unlawful for any associate of a public utility to make a gift of value; unlawful for any member of the Commission or staff to receive any gift of value).	62-327	YES
Unauthorized use of Citizens Band equipment.	62-328	YES
Police power (violation of Authority ordinance).	63A-7	NO
Failure of dealers of scrap, salvage, or surplus to keep record of purchases of certain items misdemeanor (failure to additional information).	66-10(b)	NO
Violations made misdemeanor (Candy and Similar Products article).	66-22	Repealed
House trailers to have two doors (violation of section).	66-27.5	NO
Violation of Article a misdemeanor; civil penalty (Business under Assumed Name article).	66-71	Repealed but recodified at 66-71.14; YES
Records to be kept (unauthorized access to files of record book entries).	66-169, now 66-410	YES
Misdemeanor violations (failure to obtain permission from property owner to conduct business).	66-257(c)(1)	NO
Misdemeanor violations (failure to produce retail sales tax license).	66-257(c)(2)	NO
Misdemeanor violations (failure to produce identification upon request).	66-257(c)(3)	NO
Misdemeanor violations (knowingly give false information when registering).	66-257(c)(4)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Records to be kept (unauthorized access to files of record book entries).	66-410	YES
Permitting bitch at large.	67-2	YES
Sheep-killing dogs to be killed.	67-3	NO
Failing to kill a mad dog.	67-4	YES
Precautions against attacks by dangerous dogs.	67-4.2	NO
Permitting dogs to run at large at night; penalty; liability for damage.	67-12	YES
Failure to discharge duties imposed under this Article (License Taxes on Dogs article).	67-16	NO
Illegally releasing or receiving impounded livestock misdemeanor.	68-21	YES
Impounded livestock to be fed and watered (violation of statute).	68-22	NO
Domestic fowls running at large after Notice.	68-25	NO
Penalty for violation of G.S. 68-42 (Stock running at large prohibited).	68-44	NO
Admittance of pets to hotel rooms (pets Not allowed in prohibited rooms).	72-7.1	NO
Registration to be untrue name; addresses; peace officers (violation of section).	72-30	YES
Penalties for violation (willful violation of the Mines Act of 1971).	74-64(b)	YES willfully
Penalty for violations (willful violation of the Control of Exploration for Uranium in North Carolina article).	74-87(c)	YES willfully
Applications for issuance of license (disclosure of home address or telephone number).	74C-8(g)	NO
Licenses required (disclosure of confidential home address or telephone number).	74D-2(f)	NO
Refusal to furnish information; false swearing.	75-12	YES
Obstructing waters of Currituck Sound.	76-41	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Lumbermen to remove obstructions in Albemarle Sound.	76-42	NO
Anchorage in range of lighthouses (unlawful to anchor at lighthouse).	76-43	NO
Acting as pilot without license.	76-47	NO
Rafts to exercise care in passing buoys, etc., penalty.	76-57	NO
Regulations for Lake Wylie and shoreline area (violation of any regulation of the Lake Wylie Marine Commission).	77-37	NO
Regulatory authority (violation of any regulation of the High Rock Lake Marine Commission).	77-57	NO
Regulatory authority (violation of any regulation of the Mountain Island Lake Marine Commission).	77-77	NO
Regulatory authority (violation of any regulation of the Lake Lure Marine Commission).	77-87	NO
Vessel owner and operator required to keep log of pumpout dates.	77-128	NO
Altering timber trademark crime.	80-22	YES
Possession of branded logs without consent, misdemeanor.	80-23	YES
Persons disqualified (public officials disqualified from private practice of law).	84-2	NO
Necessity for certificate of registration and shop or school permit.	86A-1, -20(1)	NO
Certificates to be displayed (failure to display certificate).	86A-16, -20(4)	YES
Misdemeanors (obtaining or attempting to obtain a certificate of registration for money other than the required fee or any other thing of value, or by fraudulent misrepresentations).	86A-20(2)	YES
Misdemeanors (practicing or attempting to practice by fraudulent misrepresentation).	86A-20(3)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Misdemeanors (practicing or attempting to practice barbering during the period of suspension or revocation of any certificate of registration granted under the chapter).	86A-20(5)	NO
Misdemeanors (permitting any person under employment or control to practice as a barber unless that person holds a certificate as a registered barber or registered apprentice).	86A-20(6)	NO
Regulations as to issue of building permits (violation of section).	87-14	NO
Violations made misdemeanor; employees of licensees excepted (unlawful to do business in refrigeration contracting without a license).	87-61	NO
Notice in case of emergency excavation or demolition (false claim of emergency requiring excavation).	87-125	NO
Licenses required; criminal penalty (violations of Chapter 88B, Cosmetic Art).	88B-22	NO
Violation and penalties (unlawful to act/appear as a registered forester; violation of Chapter).	89B-15	NO
Limited license; limited volunteer license (practicing beyond districts laid out in a limited license, or practicing at places other than specialized clinics for indigent patients).	90-12	Repealed
Limited volunteer license.	90-12.1A	NO
Retired limited volunteer license.	90-12.1B(e)	NO
Special purpose license.	90-12.2A	NO
Medical school faculty license.	90-12.3	NO
Physician assistant limited volunteer license.	90-12.4A(e)	Reserved
Physician assistant retired limited volunteer license.	90-12.4B(e)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Violations; penalties (possession of a controlled substance classified in Schedule VI).	90-95(a)(3) and (d)(4)	NO
Possession of marijuana drug paraphernalia.	90-113.22A	YES
Requirements as to rules and bylaws (failure of secretary or secretary-treasurer to file required financial report with the Board of Funeral Service).	90-210.81	NO
Enforcement; injunctive relief (operate massage and bodywork therapy school without approval).	90-634(b1)	NO
Billing of anatomic pathology services.	90-701(i)	YES intentionally
Collections out of State to avoid exemptions forbidden.	95-73, -75	YES intentionally
Resident Not to abet collection out of State.	95-74, -75	YES intentionally
Certain payments to and agreements to pay labor organizations unlawful.	95-102, -104	NO
Acceptance of such payments unlawful.	95-103, -104	NO
Claims unassignable and exempt from taxes and debt; agreement of employee to contribute to premium or waive right to compensation void; unlawful deduction by employer.	97-21	NO
Method of take when hunting on Sunday. (Hunting allowed on Sunday in certain circumstances)	103-2	NO
Officers, agents, and employees; failing to comply with tax law a misdemeanor.	105-233	YES
Free privilege licenses for blind people (requirement to keep at place of business a medical statement confirming blindness).	105-249(d) and (f)	Repealed
Powers and duties of assessor (unlawful disclosure of information).	105-296(h)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Penalties for violations (failure to display, or aids or abets in failure to display a tax permit for mobile home).	105-316.6	NO
Advertisement of tax liens on real property for failure to pay taxes (wrongful advertisement).	105-369	YES
Criminal penalties; violation of law or regulations (Biological Organism Act).	106-65.48	NO
Penalties for violations of this Article (Sale of Agricultural Liming Materials and Land Plaster).	106-92.14	NO
Sale of immature apples.	106-189.2	NO
Violation of Article or regulations a misdemeanor (Marketing and Branding Farm Products).	106-196	NO
Penalties for violations; enjoining violations; venue (North Carolina Egg Law).	106-245.24	NO
Violation of Article a misdemeanor; punishment (Inspection of Ice Cream Plants, Creameries, and Cheese Factories article).	106-255	NO
Penalty for violations (North Carolina Seed Law).	106-277.24	NO
Burial of hogs dying natural death required.	106-310	NO
Animals affected with glanders to be killed.	106-404	YES
Penalties (conduct prohibited under the Livestock Dealer Licensing Act) (first offense).	106-418.14, 14-3	NO
Criminal penalties; violation of laws or regulations (Plant Pests article).	106-423.1	NO
Warehouse proprietor, etc., to render bill of charges; penalty (first offense).	106-454	NO
Tobacco purchasers to be paid for by cash or check to order (violation of section).	106-455	NO
Nested, shingled or overhung tobacco (unlawful to sell or offer to sell).	106-461, -464	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Sale under name other than that of true owner prohibited.	106-462, -464	NO
Allowance for weight of baskets and trucks (unlawful to vary from standard weight).	106-463, -464	NO
Unlawful entry on grounds a misdemeanor.	106-514	NO
Assisting unlawful entry on grounds a misdemeanor.	106-515	NO
Unlicensed vending, etc., near fairs a misdemeanor.	106-518	Repealed
Penalties (violation of the Bee and Honey Act).	106-644	NO
Violation (Aquaculture Development Act).	106-764	NO
Exhibition of certain children prohibited.	110-20.1	NO
Notice to Department before beginning business of manufacturing products from mineral resources of State (failure to comply with section).	113-25	NO
State timber may be sold by Department of Environment, Health and Natural Resources; . . . control over parks, etc. . . (violation of forest regulations).	113-35(a)	Recodified as 143B-135.16; NO
State timber may be sold by Department of Environment, Health and Natural Resources; . . . operation of public service facilities . . . (violation of public service regulations).	113-35(d)	Recodified as 143B-135.1; NO
Powers of forest rangers to prevent and extinguish fires; authority to issue citations and warning tickets.	113-55	Recodified as 106-899;NO
Misdemeanor to destroy posted forestry Notice.	113-58	Recodified as 106-899; YES
Penalties (violation of Regulation of Open Fires article).	113-60.29	Recodified as 106-948; NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
General penalties for violating Subchapter or rules; increased penalty for prior convictions; interpretive provisions (first conviction).	113-135(a)(1)	NO
Enforcement authority of inspectors and protectors; refusal to obey or allow inspection by inspectors and protectors (refusal to stop in obedience to the directions of an inspector/protector).	113-136(j)	NO
Taking shellfish from certain areas forbidden; penalty (unlawful to take shellfish from a private shellfish bottom area without authorization).	113-207	NO
Specific violations (unlawful taking, possession, or transportation of any deer).	113-294(d)	NO
Specific violations (unlawful taking, possession, transportation, or purchase of beaver, or violates any rule of the Wildlife Resources Commission adopted to protect beavers).	113-294(f)	NO
Unlawful use of facilities for disabled sportsman.	113-298	YES
Penalties for violations of Article; repeated offenses (taking of a wild animal or bird declared to be a pest without observing the applicable restrictions).	113-300.3(c)	YES
Jurisdiction of the Authority; application of Chapter 20; appointment and authority of special police (violation of the rule concerning traffic or parking on property of the Seafood Industrial Park Authority).	113-315.34(c)	NO
Violations (Natural and Scenic Rivers System article).	113A-42(b)	Recodified as 143B-135.168; NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Collection of assessment (disclosure of information obtained in a forest product report in violation of statute).	113A-195(f)	Recodifies as 106-1031; NO
Misrepresentation of eligibility.	115B-6	YES
Confidential information in personnel files; access to information (public official granting access to a personnel file).	115C-321(c)	YES
Confidential information in personnel files; access to information (unauthorized person examining a personnel file).	115C-321(d)	YES
Method of enforcement (school official's failure to carry out instructions of State Board of Education concerning compulsory attendance).	115C-379	NO
Operating school without license or bond made misdemeanor.	115D-96	NO
Board of Trustees; powers and duties (violation of ordinance adopted under the Regulation of Traffic and Parking and Registration of Motor Vehicles Section).	116-235(e)(8)	Repealed
Powers and Duties of the Department of Cultural Resources (violation of regulations).	121-4(9)	NO
Public records and archives (removal/destruction of public records).	121-5	NO
State/Local Consumer Advocate; confidentiality.	122C-17	NO
Right to confidentiality (disclosure of confidential information protected under Mental Health, Developmental Disabilities, and Substance Abuse Act of 1985).	122C-52	NO
Failure to return books.	125-11	NO
Penalty for permitting access to confidential file by unauthorized person.	126-27	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Penalty for examining, copying, etc., confidential file without authority.	126-28	YES
Public records held by the Retirement System (permitting unauthorized access to county, city or town employee retirement records).	128-33.1(g)	YES
Public records held by the Retirement System (unauthorized examination, removal or copying of any part of the confidential retirement file of a county, city or town employee).	128-33.1(h)	YES
Misdemeanor (violating Article 9, Part 7 (Management of Certain Products That Contain Mercury) or 130A-309.10(m) (knowing disposal of mercury-containing fluorescent light or thermostat in an unlined landfill)).	130A-25(d)	YES
Licensing of adult care homes for the aged and disabled.	131D-2	Repealed
License and registration fees.	131D-2.5	NO
Legal action by Department.	131D-2.6	NO
Penalties (establish/provide/receive/place children in foster care without a license).	131D-10.7	NO
Inspections (officer/administrator/employee of Department of Health and Human Services who willfully discloses confidential information).	131E-80	YES
Penalties (establish/manage/operate any hospital without a license).	131E-81(a)	NO
Penalties (willful violation under section of any rule adopted by the North Carolina Medical Care Commission).	131E-81(b)	YES
Penalties (establish/manage/operate any nursing home without a license).	131E-109(a)	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Penalties (advance Notice of nursing home inspection given by person acting under authority of Department).	131E-109(b)	NO
Penalties (willfully violates any rule, willfully fails to perform any act required by or willfully performs an act prohibited by these rules).	131E-109(d)	YES
Penalties for violation (establish/manage operating home care agency without a license).	131E-141.1	YES
Penalties (own/operate an ambulatory surgical facility without a license).	131E-151	NO
Confidentiality (willful disclosure of information).	1313E-154.8	YES
Ambulance Provider License required.	131E-155.1	NO
Confidentiality (willful disclosure of information regarding inspection).	131E-207	YES
Privacy of employee personal records (public hospital employee who willfully permits access to information in a personnel file).	131E-257.2(g)	YES
Privacy of employee personal records (willful examination of confidential file by unauthorized person).	131E-257.2(h)	YES
Destruction of records regulated.	132-3	NO
Violation of Chapter made misdemeanor.	133-4	NO
Member retirement record files held by the Retirement System (permitting unauthorized access to the retirement file of a teacher or state employee).	135-6.1(g)	YES
Member retirement record files held by the Retirement System (unauthorized examination, removal or copying of any part of the confidential retirement file of a teacher or state employee).	135-6.1(h)	YES



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Provision and marking of "pull-off" areas (failure of a driver of a slow-moving vehicle to use such an area).	136-18.4	NO
Elimination or safeguarding of grade crossings and inadequate underpasses or overpasses (failure of a railroad company to comply with an order to construct underpass/overpass or safety devices at grade crossings).	136-20(e)	NO
Regulation of signs (steal, deface, vandalize or unlawfully remove political sign).	136-32(e)	NO
Placing blinding, deceptive or distracting lights unlawful.	136-32.2	NO
Placing glass, etc., or injurious obstructions in road.	136-91	NO
Gates projecting over rights-of-way forbidden.	136-94	NO
Billboard obstructing view at entrance to school, church or public institution on public highway (violation of section).	136-102	NO
Cattle guards and private crossings; failure to erect and maintain a misdemeanor.	136-194	NO
Motor vehicle laws applicable to State parks and forests road system (driving more than 15 miles per hour over the established speed limit, which, unless otherwise designated, is 25 miles per hour on park roads).	143-116.8(b)(1), 20-141(j1)	NO
North Carolina State Building Code (violation of the Building Code Council and Building Code article).	143-138	NO
Keeping swine near State institutions; penalty (unlawful to keep swine within one quarter of a mile of a state administration building if mandated by petition).	143-153	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Certain cleaning agents containing phosphorus prohibited (sale, manufacture, or distribution of any cleaning agent in violation of section).	143-214.4(f)	NO
Enforcement procedures (violation of the Regulation of Use of Water Resources part).	143-215.17(a)	NO
Enforcement procedures (violation of the Dam Safety Law part).	143-215.36(a)	NO
Enforcement procedures (violation of Water and Air Quality Reporting part).	143-215.69(a)(1)	NO
Violations (Oil Terminal Facilities part).	143-215.98	NO
Powers and duties of the Department (failure to furnish samples of cuttings if in the business of constructing wells).	143-355(f), (i)	NO
Powers and duties of the Department (failure to report completion of a well if in the business of constructing wells).	143-355(g), (i)	NO
Jurisdiction of the Authority; application of Chapter 20; appointment and authority of special police (violation of any rules, regulations or ordinances of the State Ports Authority).	143B-461(c)	Recodified as 136-269(c), NO
Erection of piers on State lakes restricted.	146-13	NO
Privacy of employee personnel records (public official/employee willfully and with malice permits access to personnel file).	153A-98(e)	YES
Privacy of employee personnel records (person without access willfully removes/copies/examines any personnel file).	153A-98(f)	YES
Obstructing canal or ditch dug under agreement.	156-19	NO
Obstruction drain cut by consent.	156-24	NO
Protection of canals, ditches, and natural drains.	156-25	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Petition filed; board appointed; refusal to serve misdemeanor.	156-32	NO
Control and repairs by drainage commissioners (unlawful to injure/obstruct/build bridge to injure a waterway).	156-92	NO
Enforcement of Chapter (approval of fraudulent bill/willfully make any fraudulent statement).	159-181	YES
Privacy of employee personnel records (unauthorized examination/removal of personnel file).	160A-168	YES
Regulation of dune buggies (violation of ordinance pursuant to section).	160A-308	NO
Ordinance authorized as to repair, closing, and demolition of nonresidential buildings or structures; order of public officer.	160A-439	YES
Penalty (unlawful to deprive handicapped persons of rights found in Chapter).	168-4.5	NO
General provisions governing licenses and endorsements (unlawful actions).	113-168.1, -135	NO
Standard Commercial Fishing License (unlawful to engage in a commercial fishing operation without holding a SCFL issued by Division).	113-168.2, -135	NO
Sale of fish (unlawful actions).	113-168.4, -135	NO
License endorsements for Standard Commercial Fishing License (unlawful to take, land, or sell menhaden by purse seine without menhaden endorsement).	113-168.5, -135	NO
Commercial fishing vessel registration (unlawful to use a vessel Not registered with the Division).	113-168.6, -135	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Shellfish license for North Carolina residents without SCFL (unlawful to take shellfish in amount greater than personal limit without a readily displayed license; unlawful to transfer license).	113-169.2, -135	NO
Licenses for fish dealers (unlawful selling or buying fish).	113-169.3, -135	NO
Fraud or deception as to licenses, permits, or records.	113-170.2, -135	YES
Record-keeping requirements (unlawful to neglect record-keeping).	113-170.3, -135	NO
Violations with respect to coastal fisheries resources.	113-170.5, -135	NO
Suspension, revocation, and reissuance of licenses (unlawful to evade personal service prescribed in subsection).	113-171(d), -135	Repealed
License agents (unlawful to add more than authorized surcharge to fee).	113-172, -135	NO
Recreational Commercial Gear License (unlawful actions under RCGL).	113-173, -135	NO
Unlawful possession, transportation and sale of fish.	113-183, -135	YES
Possession and transportation of prohibited oyster equipment.	113-184, -135	NO
Fishing near ocean piers; trash or scrap fishing.	113-185, -135	NO
Protection of sea turtles and porpoises (unlawful to harm or disturb sea turtles and porpoises).	113-189, -135	YES
Transplanting of oysters and clams (unlawful to transplant oysters taken from public grounds to private beds, with exceptions).	113-203(a), -135	Repealed
Transplanting of oysters and clams (transplanting).	113-203(a2), -135	NO
Transplanting of oysters and clams (conduct a seed transplanting operation Not in compliance with permit).	113-203(a4), -135	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Obstructing or polluting flow of water into hatchery; throwing fish offal into waters.	113-265, -135	NO
License agents (failure to return agent material before termination).	113-270.1(h), -135	Repealed
Hunting licenses (unlawful to hunt without a license).	113-270.2, -135	NO
Special activity licenses; big game kill reports (unlawful to hunt big game without a license).	113-270.3, -135	NO
Special activity licenses; big game kill reports (failure to report or tag big game).	113-270.13(c), -135	NO
Hook-and-line licenses in inland fishing waters (unlawful to fish without a license).	113-271, -135	NO
Special trout licenses (unlawful to fish for trout without a license).	113-272, -135	NO
Registration and posting of property (failure to cause removal of posted sign within a reasonable time).	113-282(h), -135	NO
Hunting or fishing on registered property of another without permission.	113-285, -135	NO
Manner of taking wild animals and wild birds (unlawful to hunt from or with the use of a vehicle).	113-291.1(b)(1), -135	NO
Manner of taking wild animals and wild birds (unlawful to snare animals with light/other unlawful hunting restrictions).	113-291.1(b)(2), -135	NO
Manner of taking wild animals and wild birds (unlawful night deer hunting).	113-291.1(e1), -135	NO
Manner of taking wild animals and wild birds (unlawful to intentionally destroy wildlife nesting or breeding areas).	113-291.1(i), -135	YES
Manner of taking wild animals and wild birds (unlawful to take deer swimming or in water above the knees of the deer).	113-291.1(j), -135	NO



Table 3: Presence of Mens Rea in Misdemeanors		
Offense	General Statute	Mens Rea Present
Regulation of dogs used in hunting, etc. (unlawful to allow dogs to chase deer during the closed deer season).	113-291.5(e), -135	NO
Feeding of alligators prohibited.	113-291.11, -135	YES
Authority of the Wildlife Resources Commission in regulation of inland fishing and the introduction of exotic species (unlawful taking of certain fish).	113-292, -135	NO
Obstructing rivers or creeks; keeping open fishways in dams.	113-293, -135	NO
Injury to pregnant woman (while committing a domestic violence misdemeanor).	14-18.2(c)	Repealed
Enhanced offense for misdemeanor criminal gang activity.	14-50.22	NO
Secretly peeping into room occupied by another person (second or subsequent conviction).	14-202(i)	YES
Interference with electronic monitoring devices (by person convicted of criminal offense).	14-226.3(b)	YES
Interference with electronic monitoring devices (person convicted of criminal offense solicits another).	14-226.3(c)	YES
Misdemeanor aid and abet.	Common law aid and abet	YES





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