AN ACT TO PROVIDE THAT INDIVIDUALS ENGAGED IN A PATTERN OF STREET
GANG ACTIVITY ARE SUBJECT TO INJUNCTIONS AS NUISANCES PURSUANT
TO CHAPTER 19 OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 14 of the General Statutes is amended by adding a new
Article to read:

"Article 13B.
"North Carolina Street Gang Nuisance Abatement Act.
"§ 14-50.31. Short title.
This Article shall be known and may be cited as the "North Carolina Street Gang Nuisance
Abatement Act."
"§ 14-50.32. Real property used by criminal street gangs declared a public nuisance:
abatement.
(a) Public Nuisance. – Any real property that is erected, established, maintained,
owned, leased, or used by any criminal street gang for the purpose of conducting criminal street
gang activity, as defined in G.S. 14-50.16(c), shall constitute a public nuisance and may be
abated as provided by and subject to the provisions of Article 1 of Chapter 19 of the General
Statutes.
(b) Innocent Activities. – The provisions of this section shall not apply to real property
used for criminal street gang activity where the owner or person who has legal possession of
the real property does not have actual knowledge that the real property is being used for
criminal street gang activity or the owner is being coerced into allowing the property to be used
for criminal street gang activity.
"§ 14-50.33. Street gangs declared a public nuisance.
(a) A street gang, as defined in G.S. 14-50.16(b), that regularly engages in criminal
street gang activities, as defined in G.S. 14-50.16(c), constitutes a public nuisance. For the
purposes of this section, the term "regularly" means at least five times in a period of not more
than 12 months.
(b) Any person who regularly associates with others to engage in criminal street gang
activity, as defined in G.S. 14-50.16(c), may be made a defendant in a suit, brought pursuant to
Chapter 19 of the General Statutes, to abate any public nuisance resulting from criminal street
gang activity.
(c) If the court finds that a public nuisance exists under this section, the court may enter
an order enjoining the defendant in the suit from engaging in criminal street gang activities and
impose other reasonable requirements to prevent the defendant or a gang from engaging in
future criminal street gang activities.
(d) An order entered under this section shall expire one year after entry; however, the
order may be modified, rescinded, or vacated at any time prior to its expiration date upon the
motion of any party if it appears to the court that one or more of the defendants is no longer
engaging in criminal street gang activities."

SECTION 2. G.S. 14-50.24 is repealed.
SECTION 3. This act becomes effective October 1, 2012, and applies to offenses committed and abatement actions commenced on or after that date. In the General Assembly read three times and ratified this the 7th day of June, 2012.

s/ Walter H. Dalton  
President of the Senate

s/ Dale R. Folwell  
Speaker Pro Tempore of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 1:02 p.m. this 15th day of June, 2012