

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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SENATE BILL 455

Short Title: Decriminalize Non-Statutory Offenses. (Public)

Sponsors: Senators Britt, Mohammed, and Lee (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 5, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO DECRIMINALIZE NON-STATUTORY CRIMINAL OFFENSES AND  
3 VIOLATIONS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 14-4 reads as rewritten:

6 "**§ 14-4. Violation of local ordinances ~~misdemeanor~~-an infraction.**

7 (a) ~~Except as provided in subsection (b), if~~ If any person shall violate an ordinance of a  
8 county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, ~~he~~  
9 ~~the person shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred~~  
10 ~~dollars (\$500.00). No fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states~~  
11 ~~that the maximum fine is greater than fifty dollars (\$50.00)-guilty of an infraction punishable by~~  
12 ~~a fine of not more than fifty dollars (\$50.00).~~

13 (b) ~~If any person shall violate an ordinance of a county, city, or town regulating the~~  
14 ~~operation or parking of vehicles, he shall be responsible for an infraction and shall be required to~~  
15 ~~pay a penalty of not more than fifty dollars (\$50.00).~~

16 (c) Nothing in this section shall restrict the authority of a county, city, town, or  
17 metropolitan sewerage district to impose civil penalties for the violation of any ordinance  
18 pursuant to G.S. 153A-123, 160A-175, or 162A-81."

19 **SECTION 2.** Article 1 of Chapter 14 of the General Statutes is amended by adding  
20 a new section to read:

21 "**§ 14-4.2. Notice of crimes.**

22 (a) Except as provided in subsection (b) of this section, no person shall be convicted of a  
23 criminal offense unless the offense appears in this Chapter, Chapter 20 of the General Statutes,  
24 or Article 5 of Chapter 90 of the General Statutes or the offense is a common-law offense.

25 (b) Subsection (a) of this section does not apply to a person who has actual knowledge  
26 that the behavior which is the basis for being charged with the offense constitutes a crime.

27 (c) This section applies to offenses committed on or after December 1, 2021."

28 **SECTION 3.** Prosecutions for offenses committed before the effective date of this  
29 act are not abated or affected by this act, and the statutes that would be applicable but for this act  
30 remain applicable to those prosecutions.

31 **SECTION 4.** Section 1 of this act becomes effective December 1, 2021, and applies  
32 to violations on or after that date. The remainder of this act becomes effective December 1, 2021.

