

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 862

Short Title: Justice Improvements.

(Public)

Sponsors: Representative Echevarria.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

April 10, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE VIDEO RECORDING OF DISTRICT COURT PROCEEDINGS AND
3 THE PUBLISHING OF REPORTS OF HOW IMPAIRED DRIVING CASES ARE
4 RESOLVED.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 7A-191.1 reads as rewritten:

7 "§ 7A-191.1. ~~Recording of proceeding in which defendant pleads guilty or no contest to~~
8 ~~felony in district court.~~

9 (a) The trial judge shall require that a true, complete, and accurate record be made of the
10 ~~proceeding in which a defendant pleads guilty or no contest to a Class H or I felony pursuant to~~
11 G.S. 7A-272.(i) any hearing on an infraction conducted pursuant to Article 66 of Chapter 15A of
12 the General Statutes and (ii) any criminal trial proceeding, including pretrial motions, pleas, plea
13 bargains, an explanation required under G.S. 20-138.4, taking of evidence, sentencing hearings,
14 posttrial motions, and requests for limited driving privileges. A proceeding described in this
15 subsection shall be recorded, both video and audio, using electronic or other mechanical devices
16 provided by the Administrative Office of the Courts.

17 (b) It is the duty of the clerk of superior court, or another person designated by the clerk,
18 to (i) operate the recording device described in subsection (a) of this section and (ii) preserve any
19 recording produced by the device. Notwithstanding any provision of law to the contrary, making
20 a recording produced in accordance with this section available online in a format that allows a
21 person to view the recording and download or save the recording to his or her device is allowed
22 and sufficient to comply with any provision of Chapter 132 of the General Statutes requiring
23 access to public records. A proceeding described in subsection (a) of this section may be deleted
24 in accordance with a retention schedule adopted and implemented by the Administrative Office
25 of the Courts."

26 SECTION 2. G.S. 7A-109.2 reads as rewritten:

27 "§ 7A-109.2. ~~Records of dispositions in criminal cases; impaired driving integrated data~~
28 ~~system.~~

29 (a) Each clerk of superior court shall ensure that all records of dispositions in criminal
30 cases, including those records filed electronically, contain all the essential information about the
31 case, including the ~~the~~ name of the presiding judge and the attorneys representing the State and
32 the defendant.

33 (b) In addition to the information required by subsection (a) of this section for all offenses
34 involving impaired driving as defined by G.S. 20-4.01, all charges of driving while license
35 revoked for an impaired driving license revocation as defined by G.S. 20-28.2, and any other



1 violation of the motor vehicle code involving the operation of a vehicle and the possession,
2 consumption, use, or transportation of alcoholic beverages, the clerk shall include in the
3 electronic records the following information:

- 4 (1) The reasons for any pretrial dismissal by the court.
- 5 (2) The alcohol concentration reported by the charging officer or chemical
6 analyst, if any.
- 7 (3) The reasons for any suppression of evidence.
- 8 (4) The disposition of the charge.

9 (c) In addition to the information required under subsections (a) and (b) of this section,
10 for defendants sentenced pursuant to G.S. 20-179, the clerk shall include in the electronic records
11 (i) each grossly aggravating factor, aggravating factor, and mitigating factor found by the court
12 and (ii) the level of punishment imposed by the court.

13 (d) The Administrative Office of the Courts shall publish an annual report no later than
14 September 1 of each year on its website that includes the information required by this section for
15 the fiscal year immediately preceding the date of the report. The report shall include statewide
16 and countywide summaries of the number of charges, dispositions, sentencing factors, and
17 sentencing levels. Additionally, for each county, the report shall include each type of charge filed
18 and all of the information required by this section for each charge."

19 **SECTION 3.** Section 33 of S.L. 2006-253, as amended by Section 5 of S.L.
20 2007-493, reads as rewritten:

21 "SECTION 33. Section 6 becomes effective August 21, 2006, and applies to hearings held
22 on or after that date. Sections 20.1, 20.2, and the requirement that the Administrative Office of
23 the Courts electronically record certain data contained in subsection (c) of G.S. 20-138.4, as
24 amended by Section 19 of this act, become effective ~~after the next rewrite of the superior court~~
25 ~~clerks system by the Administrative Office of the Courts. April 1, 2026.~~ Section 22.4 becomes
26 effective December 1, 2006. The remainder of this act becomes effective December 1, 2006, and
27 applies to offenses committed on or after that date."

28 **SECTION 4.** The first report required under G.S. 7A-109.2(d), as enacted by Section
29 2 of this act, shall include information from December 1, 2025, through June 30, 2026, and shall
30 be published no later than September 1, 2026.

31 **SECTION 5.** Sections 1 and 2 of this act become effective December 1, 2025, and
32 apply to any hearing, trial, or disposition of charges occurring on or after that date. The remainder
33 of this act is effective when it becomes law.