

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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HOUSE BILL DRH40067-ML-24

Short Title: Citizens' Expungement Clarification of 2025. (Public)

Sponsors: Representative Hastings.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT A PERSON WHO IS NOT A LEGAL RESIDENT OR CITIZEN OF  
3 THE UNITED STATES OR ITS TERRITORIES FROM OBTAINING AN EXPUNCTION  
4 OF CRIMINAL CONVICTIONS OR CHARGES FROM THE PERSON'S RECORD.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. This act shall be known as "The Citizens' Expungement Clarification  
7 of 2025."

8 SECTION 2. Article 5 of Chapter 15A of the General Statutes is amended by adding  
9 a new section to read:

10 "**§ 15A-154. Prohibition on expunction for illegal aliens.**

11 (a) Prohibition. – A person who is not a legal resident or citizen of the United States or  
12 its territories is ineligible to obtain an expunction under this Article.

13 (b) Verification. – In addition to all other applicable requirements set forth in this Article,  
14 and no earlier than 30 days prior to the date the court may enter an order of expunction, the court  
15 shall attempt to determine if a petitioner is a legal resident or citizen of the United States or its  
16 territories by an inquiry of the petitioner or by an examination of any relevant documents. If the  
17 court is unable to determine if the petitioner is a legal resident or citizen of the United States or  
18 its territories, the court shall make a query of Immigration and Customs Enforcement of the  
19 United States Department of Homeland Security.

20 (c) Applicability. – The prohibition set forth in subsection (a) of this section does not  
21 apply to a person who lawfully entered the United States and has filed an immigrant petition, or  
22 for whom an immigrant petition has been filed, with the United States Immigration and  
23 Naturalization Service."

24 SECTION 3. This act becomes effective October 1, 2025, and applies to petitions  
25 filed on or after that date.

