

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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SENATE BILL 355  
Judiciary Committee Substitute Adopted 4/29/25  
Pensions and Retirement and Aging Committee Substitute Adopted 4/30/25  
House Committee Substitute Favorable 5/13/26

Short Title: Support the Dept. of Adult Correction.-AB (Public)

Sponsors:

Referred to:

March 24, 2025

1 A BILL TO BE ENTITLED  
2 AN ACT TO SUPPORT THE WORK OF THE DEPARTMENT OF ADULT CORRECTION.  
3 The General Assembly of North Carolina enacts:

4  
5 **PART I. COMMUNITY SUPERVISION**

6  
7 **WAIVE TUITION FOR SURVIVORS OF FALLEN PROBATION OFFICERS**

8 **SECTION 1.1.(a)** G.S. 115B-1 reads as rewritten:

9 **"§ 115B-1. Definitions.**

10 The following definitions apply in this Chapter:

11 ...

12 (4) Permanently and totally disabled as a direct result of a traumatic injury  
13 sustained in the line of duty. – A person: (i) who as a law enforcement officer,  
14 correctional officer, probation officer, firefighter, volunteer firefighter, or  
15 rescue squad worker suffered a disabling injury while in active service or  
16 training for active service, (ii) who at the time of active service or training was  
17 a North Carolina resident, and (iii) who has been determined to be  
18 permanently and totally disabled for compensation purposes by the North  
19 Carolina Industrial Commission.

20 (4c) Probation officer. – An employee of an employer who is certified as a  
21 probation officer under the provisions of Article 1 of Chapter 17C of the  
22 General Statutes.

23 ...

24 (6) Survivor. – Any person whose parent, legal guardian, legal custodian, or  
25 spouse: (i) was a law enforcement officer, a correctional officer, a probation  
26 officer, a firefighter, a volunteer firefighter, or a rescue squad worker, (ii) was  
27 killed while in active service or training for active service or died as a result  
28 of a service-connected disability, and (iii) at the time of active service or  
29 training was a North Carolina resident. The term does not include the widow  
30 or widower of a law enforcement officer, correctional officer, probation  
31 officer, firefighter, volunteer firefighter, or a rescue squad worker if the  
32 widow or widower has remarried.

33 ...."

34 **SECTION 1.1.(b)** G.S. 115B-2(a) reads as rewritten:



1       "(a) The constituent institutions of The University of North Carolina and the community  
2 colleges as defined in G.S. 115D-2(2) shall permit the following persons to attend classes for  
3 credit or noncredit purposes without the required payment of tuition:

4       ...

5       (2) Any person who is the survivor of a law enforcement officer, correctional  
6 officer, probation officer, firefighter, volunteer firefighter, or rescue squad  
7 worker killed as a direct result of a traumatic injury sustained in the line of  
8 duty.

9       (3) The spouse of a law enforcement officer, correctional officer, probation  
10 officer, firefighter, volunteer firefighter, or rescue squad worker who is  
11 permanently and totally disabled as a direct result of a traumatic injury  
12 sustained in the line of duty.

13       (4) Any child, if the child is at least 17 years old but not yet 24 years old, whose  
14 parent, legal guardian, or legal custodian is a law enforcement officer,  
15 correctional officer, probation officer, firefighter, volunteer firefighter, or  
16 rescue squad worker who is permanently and totally disabled as a direct result  
17 of a traumatic injury sustained in the line of duty. However, a child's eligibility  
18 for a waiver of tuition under this Chapter shall not exceed: (i) 54 months, if  
19 the child is seeking a baccalaureate degree, or (ii) if the child is not seeking a  
20 baccalaureate degree, the number of months required to complete the  
21 educational program to which the child is applying.

22       ...."

23       **SECTION 1.1.(c)** G.S. 115B-5(b) reads as rewritten:

24       "(b) The officials of the institutions charged with administration of this Chapter shall  
25 require the following proof to insure that a person applying to the institution and who requests a  
26 tuition waiver under G.S. 115B-2(a)(2), (3), or (4) is eligible for the benefits provided by this  
27 Chapter.

28       ...

29       (3) The cause of death of the law enforcement officer, correctional officer,  
30 probation officer, firefighter, volunteer firefighter, or rescue squad worker  
31 shall be verified by certification from the records of the Department of State  
32 Treasurer, the appropriate city or county law enforcement agency that  
33 employed the deceased, the administrative agency for the fire department or  
34 fire protection district recognized for funding under the Department of State  
35 Auditor, or the administrative agency having jurisdiction over any paid  
36 firefighters of all counties and cities.

37       ...."

38       **SECTION 1.1.(d)** This section is effective when it becomes law and applies to  
39 waivers of tuition granted on or after that date.

40  
41       **MODIFY       TECHNICAL       REQUIREMENTS       FOR       ELECTRONIC**  
42       **MONITORING/SATELLITE-BASED MONITORING**

43       **SECTION 1.2.(a)** G.S. 15A-101.1 reads as rewritten:

44       "**§ 15A-101.1. Electronic technology in criminal process and procedure.**

45       As used in this Chapter, in Chapter 7A of the General Statutes, in Chapter 15 of the General  
46 Statutes, and in all other provisions of the General Statutes that deal with criminal process or  
47 ~~procedure~~:procedure, the following definitions shall apply:

48       (1) ~~"Attach" or "attached" means, when Attach or attached. – When referring to~~  
49 documents existing in paper form, physical attachment by staples, clips, or  
50 other mechanical means, or managed such that neither document is stored or  
51 delivered without the other. When referring to documents stored in electronic

1 form, the term means either storage as a single digital file or storage in a  
2 manner that a user interface for access to the documents displays clearly the  
3 logical association between them, to the exclusion of other, unassociated  
4 documents displayed with them. When referring to documents delivered in  
5 electronic form, the term means documents delivered simultaneously and via  
6 the same mechanism or medium, including, but not limited to, any of the  
7 following: (i) delivery via a single email message, (ii) delivery on a single unit  
8 of removable electronic media, or (iii) delivery in immediate,  
9 contemporaneous sequence with one another from the same source to the same  
10 recipient. It is not necessary that the relationship between documents appear  
11 on the face of the documents in order to be deemed attached.

12 (1a) ~~"Copy" means all-Copy.~~ – All identical versions of a document created or  
13 existing in paper or electronic form, including the original and all other  
14 identical versions of the document. Except where otherwise expressly  
15 provided by law or when authority is vested only in a certified copy, a copy  
16 of a document is equally authoritative as the original.

17 (2) ~~"Document" means any-Document.~~ – Any pleading, criminal process,  
18 subpoena, complaint, motion, application, notice, affidavit, commission,  
19 waiver, consent, dismissal, order, judgment, or other writing intended in a  
20 criminal or contempt proceeding to authorize or require an action, to record a  
21 decision or to communicate or record information. A document may be  
22 created and exist in paper form or in electronic form or in both forms. Each  
23 document shall contain the legible, printed name of the person who signed the  
24 document.

25 (3) ~~"Electronic" means relating-Electronic.~~ – Relating to technology having  
26 electrical, digital, magnetic, wireless, optical, electromagnetic, Internet, or  
27 similar capabilities.

28 (3a) ~~"Electronic monitoring" or "electronically monitor" or "satellite based  
29 monitoring" means monitoring-Electronic monitoring or electronically  
30 monitor or satellite-based monitoring.~~ – Monitoring with an electronic  
31 monitoring device that is not removed from a person's body, that is utilized by  
32 the supervising agency in conjunction with a Web-based computer system that  
33 actively monitors, identifies, tracks, and records a person's location at least  
34 once every minute 24 hours a day, ~~that has a battery life of at least 48 hours  
35 without being recharged,~~ that timely records and reports or records the  
36 person's presence near or within a crime scene or prohibited area or the  
37 person's departure from a specified geographic location, and that has  
38 incorporated into the software the ability to automatically compare crime  
39 scene data with locations of all persons being electronically monitored so as  
40 to provide any correlation daily or in real time. In areas of the State where lack  
41 of cellular coverage requires the use of an alternative device, the supervising  
42 agency shall use an alternative device that works in concert with the software  
43 and records location and tracking data for later download and crime scene  
44 comparison.

45 (4) ~~"Electronic Repository" means an-Electronic repository.~~ – An automated  
46 electronic repository for criminal process created and maintained pursuant to  
47 G.S. 15A-301.1.

48 ...

49 (6) ~~"Entered" means signed-Entered.~~ – Signed and filed in the office of the clerk  
50 of superior court of the county in which the document is to be entered. A  
51 document may be entered in either paper form or electronic form.

(7) ~~"Filing" or "filed" means:~~Filing or filed. –

...

(8) ~~"Issued" applies~~Issued. – Applies to documents in either paper form or electronic form. A document that is first created in paper form is issued when it is signed. A document that is first created in electronic form is issued when it is signed and filed in the office of the clerk of superior court of the county for which it is to be issued.

(9) ~~"Original" means:~~Original. –

...

(10) ~~"Signature" means any~~Signature. – Any symbol, including, but not limited to, the name of an individual, which is executed by that individual, personally or through an authorized agent, with the intent to authenticate or to effect the issuance or entry of a document. A document may be signed by the use of any manual, ~~mechanical~~mechanical, or electronic means that causes the individual's signature to appear in or on the document. Any party challenging the validity of a signature shall have the burden of pleading, producing evidence, and proving that the signature was not the act of the person whose signature it appears to be."

**SECTION 1.2.(b)** This section is effective when it becomes law and applies to an electronic monitoring device used on or after that date.

## **PART II. INSTITUTIONS**

### **SEXUALLY VIOLENT PREDATOR DETERMINATIONS**

**SECTION 2.1.(a)** G.S. 14-208.20(b) reads as rewritten:

"(b) Prior to sentencing a person as a sexually violent predator, the court shall order a presentence investigation in accordance with G.S. 15A-1332(c). However, the study of the defendant and whether the defendant is a sexually violent predator shall be conducted by a board of experts selected by the Division of Prisons of the Department of Adult Correction. The board of experts shall be composed of at least four people. Two of the board members shall be experts in the field of the behavior and treatment of sexual offenders, one of whom shall be selected from a panel of experts in those fields provided by the North Carolina Medical Society and not be employed full time with the Division of Prisons of the Department of Adult Correction or employed on a full-time basis with any other State agency. One of the board members shall be a victims' rights advocate, and one of the board members shall be a representative of law enforcement agencies."

**SECTION 2.1.(b)** This section becomes effective December 1, 2026, and applies to boards of experts selected on or after that date.

### **EXTEND SUNSET DATE FOR USE OF SECURITY GUARDS AT STATE PRISONS**

**SECTION 2.2.(a)** Section 4.15(c) of S.L. 2020-3, as amended by Section 2 of S.L. 2020-15, Section 19D.2 of S.L. 2021-180, Section 12 of S.L. 2022-58, Section 19D.1 of S.L. 2022-74, and Section 9(a) of S.L. 2023-121, reads as rewritten:

"**SECTION 4.15.(c)** This section is effective when it becomes law and expires on June 30, ~~2025-2027.~~"

**SECTION 2.2.(b)** This section is effective when it becomes law.

## **PART III. SUPPORT SERVICES**

### **USE OF AVAILABLE FUNDS FOR REPAIR AND RENOVATION PURPOSES**

**SECTION 3.1.(a)** G.S. 143C-8-13 is amended by adding a new subsection to read:

1       "(e) Notwithstanding any provision of G.S. 143C-8-7 to the contrary, the Secretary of the  
2 Department of Adult Correction may pay for projects for repairs and renovations with funds  
3 available to the agency according to the following requirements:

4           (1) The project meets all of the following requirements:

5               a. The total project costs do not exceed one million dollars (\$1,000,000).

6               b. The project is one of the types set forth in subdivisions (1) through  
7 (13) of subsection (a) of this section, regardless of whether the relevant  
8 facilities and related infrastructure are supported from the General  
9 Fund or the State Capital and Infrastructure Fund.

10          (2) The Department reports on projects undertaken pursuant to this subsection to  
11 the Fiscal Research Division on a quarterly basis. The report shall include all  
12 of the following information for each project:

13               a. The facility at which the project is being undertaken.

14               b. The nature and scope of the project.

15               c. The source of funds for the project.

16               d. The category of projects set forth in subsection (a) of this section that  
17 the project falls within.

18          (3) Any funds from a General Fund appropriation that are contractually obligated  
19 for a project pursuant to this subsection shall not revert at the end of the fiscal  
20 year but shall remain available to fund the completion of the project."

21       **SECTION 3.1.(b)** This section is effective when it becomes law and applies to  
22 payments for projects for repairs and renovations occurring on or after that date.  
23

## 24 **REMAINING BALANCES FROM OLD INDEBTEDNESS PROJECTS**

25       **SECTION 3.2.(a)** Notwithstanding S.L. 2006-66 and S.L. 2015-241, the Department  
26 of Adult Correction may use up to one million six hundred twelve thousand four hundred  
27 eighty-one dollars and fourteen cents (\$1,612,481.14) from the projects described in Section  
28 23.12(g) of S.L. 2006-66 and Section 31.22 of S.L. 2015-241 to finance capital facility costs of  
29 HVAC projects at State facilities. No additional special indebtedness may be issued or incurred  
30 to finance these projects. The use of funds authorized by this section shall not require further  
31 approval by the Council of State pursuant to Chapter 142 of the General Statutes.

32       **SECTION 3.2.(b)** This section is effective when it becomes law.  
33

## 34 **PART IV. OFFICE OF STAFF DEVELOPMENT AND TRAINING (OSDT)**

### 35 **VESTED PROBATION AND PAROLE OFFICERS MAINTAIN ELIGIBILITY FOR** 36 **SUPPLEMENTAL RETIREMENT WHEN SERVING IN NONCERTIFIED ROLES**

37       **SECTION 4.1.(a)** G.S. 135-1(17a) reads as rewritten:

38       "(17a) "Probation/Parole Officer" shall mean a full-time paid employee of the  
39 Division of Community Supervision and Reentry of the Department of Adult  
40 Correction whose duties include supervising, evaluating, or otherwise  
41 instructing offenders who have been placed on probation, parole, or  
42 post-release supervision or have been assigned to any other community-based  
43 program operated by the Division of Community Supervision and  
44 ~~Reentry.~~ Reentry, or a full-time paid employee of the Department of Adult  
45 Correction's Office of Staff Development and Training who is certified as a  
46 Probation/Parole Officer and works exclusively in a training role."  
47

48       **SECTION 4.1.(b)** This section is effective when it becomes law and applies to  
49 determinations under Article 1 of Chapter 135 of the General Statutes made on or after that date.  
50

## 51 **PART V. TECHNICAL CORRECTIONS**

**POST-RELEASE SUPERVISION ELIGIBILITY AND PROCEDURE**

**SECTION 5.1.(a)** G.S. 15A-1368.2(c1) reads as rewritten:

"(c1) Notwithstanding subsection (c) of this section, a person required to submit to satellite-based monitoring pursuant to G.S. 15A-1368.4(b1)(6) shall continue to participate in satellite-based monitoring beyond the period of post-release supervision until the ~~Commission~~ superior court in the county where the conviction occurred releases the person from that requirement pursuant to G.S. 14-208.43."

**SECTION 5.1.(b)** This section is effective when it becomes law and applies to satellite-based monitoring releases ordered on or after that date.

**EXCLUDE DEPARTMENT OF ADULT CORRECTION INVESTIGATIONS FROM CERTAIN INFORMATION TECHNOLOGY RESTRICTIONS**

**SECTION 5.2.(a)** G.S. 143-805(d) reads as rewritten:

"(d) Subsections (a) and (b) of this section shall not apply to an official or employee that is engaged in any of the following activities in the course of that official's or employee's official duties:

...

(8) Investigating matters involving offenders incarcerated with, or otherwise under the supervision of, the Department of Adult Correction or matters related to the misuse of devices owned by the Department of Adult Correction."

**SECTION 5.2.(b)** This section is effective when it becomes law and applies to investigations occurring before, on, or after that date.

**PART VI. SEVERABILITY AND EFFECTIVE DATE**

**SEVERABILITY CLAUSE**

**SECTION 6.1.** If any part, section, or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part declared to be unconstitutional or invalid.

**EFFECTIVE DATE**

**SECTION 7.1.** Except as otherwise provided, this act is effective when it becomes law.