

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

SESSION LAW 2026-44
SENATE BILL 355

AN ACT TO SUPPORT THE WORK OF THE DEPARTMENT OF ADULT CORRECTION.

The General Assembly of North Carolina enacts:

PART I. COMMUNITY SUPERVISION

WAIVE TUITION FOR SURVIVORS OF FALLEN PROBATION OFFICERS

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

"§ 115B-1. Definitions.

The following definitions apply in this Chapter:

- ...
- (4) Permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty. – A person: (i) who as a law enforcement officer, correctional officer, probation officer, firefighter, volunteer firefighter, or rescue squad worker suffered a disabling injury while in active service or training for active service, (ii) who at the time of active service or training was a North Carolina resident, and (iii) who has been determined to be permanently and totally disabled for compensation purposes by the North Carolina Industrial Commission.
- (4c) Probation officer. – An employee of an employer who is certified as a probation officer under the provisions of Article 1 of Chapter 17C of the General Statutes.
- ...
- (6) Survivor. – Any person whose parent, legal guardian, legal custodian, or spouse: (i) was a law enforcement officer, a correctional officer, a probation officer, a firefighter, a volunteer firefighter, or a rescue squad worker, (ii) was killed while in active service or training for active service or died as a result of a service-connected disability, and (iii) at the time of active service or training was a North Carolina resident. The term does not include the widow or widower of a law enforcement officer, correctional officer, probation officer, firefighter, volunteer firefighter, or a rescue squad worker if the widow or widower has remarried.

...."

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

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

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



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

...."

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

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

...

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

...."

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

MODIFY TECHNICAL REQUIREMENTS FOR ELECTRONIC MONITORING/SATELLITE-BASED MONITORING

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

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

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

- (1) ~~"Attach" or "attached" means, when Attach or attached.~~ – When referring to documents existing in paper form, physical attachment by staples, clips, or other mechanical means, or managed such that neither document is stored or delivered without the other. When referring to documents stored in electronic form, the term means either storage as a single digital file or storage in a manner that a user interface for access to the documents displays clearly the logical association between them, to the exclusion of other, unassociated documents displayed with them. When referring to documents delivered in electronic form, the term means documents delivered simultaneously and via the same mechanism or medium, including, but not limited to, any of the following: (i) delivery via a single email message, (ii) delivery on a single unit of removable electronic media, or (iii) delivery in immediate,

contemporaneous sequence with one another from the same source to the same recipient. It is not necessary that the relationship between documents appear on the face of the documents in order to be deemed attached.

- (1a) ~~"Copy" means all Copy.~~ – All identical versions of a document created or existing in paper or electronic form, including the original and all other identical versions of the document. Except where otherwise expressly provided by law or when authority is vested only in a certified copy, a copy of a document is equally authoritative as the original.
- (2) ~~"Document" means any Document.~~ – Any pleading, criminal process, subpoena, complaint, motion, application, notice, affidavit, commission, waiver, consent, dismissal, order, judgment, or other writing intended in a criminal or contempt proceeding to authorize or require an action, to record a decision or to communicate or record information. A document may be created and exist in paper form or in electronic form or in both forms. Each document shall contain the legible, printed name of the person who signed the document.
- (3) ~~"Electronic" means relating Electronic.~~ – Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, Internet, or similar capabilities.
- (3a) ~~"Electronic monitoring" or "electronically monitor" or "satellite-based monitoring" means monitoring~~ Electronic monitoring or electronically monitor or satellite-based monitoring. – Monitoring with an electronic monitoring device that is not removed from a person's body, that is utilized by the supervising agency in conjunction with a Web-based computer system that actively monitors, identifies, tracks, and records a person's location at least once every minute 24 hours a day, ~~that has a battery life of at least 48 hours without being recharged,~~ that timely records and reports or records the person's presence near or within a crime scene or prohibited area or the person's departure from a specified geographic location, and that has incorporated into the software the ability to automatically compare crime scene data with locations of all persons being electronically monitored so as to provide any correlation daily or in real time. In areas of the State where lack of cellular coverage requires the use of an alternative device, the supervising agency shall use an alternative device that works in concert with the software and records location and tracking data for later download and crime scene comparison.
- (4) ~~"Electronic Repository" means an Electronic repository.~~ – An automated electronic repository for criminal process created and maintained pursuant to G.S. 15A-301.1.
- ...
- (6) ~~"Entered" means signed Entered.~~ – Signed and filed in the office of the clerk of superior court of the county in which the document is to be entered. A 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.

MODIFICATION OF POST-RELEASE SUPERVISION REQUIREMENTS

SECTION 1.3.(a) G.S. 143B-1491(d) reads as rewritten:

"(d) The granting, denying, revoking, or rescinding of parole, the authorization of work-release privileges to a prisoner, or any other matters of business coming before the Commission for consideration and action shall be decided by majority vote of the full Commission, except that a three-member panel of the Commission may ~~set the terms and conditions for a post-release supervisee under G.S. 15A-1368.4 and may decide questions of violations thereunder, violations,~~ including the issuance of ~~warrants.~~ warrants, and may decide questions of parole under G.S. 20-179(p). Any single member of the Commission may set and modify the terms and conditions for a post-release supervisee under G.S. 15A-1368.4, may authorize the issuance of a letter of reprimand, and may continue an offender's supervision. In the event of a tie in a vote by the full Commission, the chair shall break the tie with an additional vote."

SECTION 1.3.(b) This section is effective when it becomes law and applies to actions taken by the Commission 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.

INCREASE LIMIT ON PURCHASES FROM CORRECTION ENTERPRISES

SECTION 2.2. G.S. 148-132 reads as rewritten:

"§ 148-132. Distribution of products and services.

The Division of Correction Enterprises of the Department of Adult Correction is empowered and authorized to market and sell products and services produced by Correction Enterprises to any of the following entities:

...

- (5) Any current employee or retiree of the State of North Carolina, member, employee, or retiree of the North Carolina National Guard, or of a unit of local government of this State, verified through federal or State-issued identification, or through proof of retirement status, but purchases by a State employee or retiree, National Guard member, employee, or retiree, or local governmental employee or retiree may not exceed ~~two thousand five hundred dollars (\$2,500)~~ four thousand dollars (\$4,000) during any calendar year. Products purchased by State employees or retirees, National Guard members, employees or retirees, and local governmental employees and retirees under this section may not be resold.

...."

AUTHORIZE SUBSTANCE ABUSE ASSESSMENTS AND ADETS BY DAC

SECTION 2.3.(a) G.S. 122C-3 reads as rewritten:

"§ 122C-3. Definitions.

The following definitions apply in this Chapter:

...

- (14) Facility. – Any person at one location, or in the case of an opioid treatment program facility licensed to operate an opioid treatment program medication unit, an opioid treatment program mobile unit, or both, any person at one or more locations, whose primary purpose is to provide services for the care, treatment, habilitation, or rehabilitation of individuals with mental illnesses or intellectual or other developmental disabilities or substance abusers, and includes all of the following:

...

- j. Any facility operated by the Department of Adult Correction that provides alcohol and drug education traffic school or substance abuse assessments under G.S. 122C-142.1.

...."

SECTION 2.3.(b) G.S. 122C-142.1 reads as rewritten:

"§ 122C-142.1. Substance abuse services for those convicted of driving while impaired or driving while less than 21 years old after consuming alcohol or drugs.

(a) Services. – An area authority shall provide, directly or by contract, the substance abuse services needed by a person to obtain a certificate of completion required under G.S. 20-17.6 as a condition for the restoration of a drivers license. A person may obtain the required services from an area facility, from a private facility authorized by the Department to provide this service, or, with the approval of the Department, from an agency that is located in another state. An eligible person housed in a facility operated by the Department of Adult Correction may obtain the required services from the Department of Adult Correction.

...

(a2) Authorization of Department of Adult Correction. – The Department shall authorize approved facilities operated by the Department of Adult Correction to provide substance abuse services needed to obtain a certificate of completion to a person housed in that facility if all of the following requirements are met:

- (1) The Department of Adult Correction notifies the Department of the designated facilities which may provide the services.

- (2) Assessments and alcohol and drug education traffic (ADET) school provided by the Department of Adult Correction under this subsection comply with rules adopted under the North Carolina Administrative Code, including placement criteria, documentation, and reporting requirements, and adhere to Department of Adult Correction security and custody policies.
- (3) No fee, tuition, or charge is imposed upon an individual for an assessment or ADET school provided directly by the Department of Adult Correction pursuant to this subsection. The Department of Adult Correction shall be responsible for any costs associated with purchasing required curriculum materials.
- (4) Services delivered by the Department of Adult Correction under this subsection are exempt from licensure under Article 2 of this Chapter and are covered by the exclusions in G.S. 122C-22(a)(10).

...

(f) Fees. – A person who has a substance abuse assessment conducted for the purpose of obtaining a certificate of completion shall pay to the assessing agency a fee of one hundred dollars (\$100). A person shall pay to a school a fee of one hundred sixty dollars (\$160.00). A person shall pay to a treatment facility a fee of seventy-five dollars (\$75.00). If the defendant is treated by an area mental health facility, G.S. 122C-146 applies after receipt of the seventy-five dollar (\$75.00) fee.

A facility that provides to a person who is required to obtain a certificate of completion a substance abuse assessment, an ADET school, or a substance abuse treatment program may require the person to pay a fee required by this subsection before it issues a certificate of completion. As stated in G.S. 122C-146, however, an area facility may not deny a service to a person because the person is unable to pay.

A facility shall remit to the Department ten percent (10%) of each fee paid to the facility under this subsection by a person who attends an ADET school conducted by the facility. The Department may use amounts remitted to it under this subsection only to support, evaluate, and administer ADET schools.

Substance abuse services provided by the Department of Adult Correction shall not charge a fee to the individual or require a fee to be paid to the Department. The Department of Adult Correction shall be responsible for any costs associated with purchasing required curriculum materials.

...."

SECTION 2.3.(c) G.S. 143B-1455 is amended by adding a new subsection to read:

"(g) The Program may provide substance abuse assessments and alcohol and drug education traffic (ADET) school to eligible individuals housed in a facility operated by the Department of Adult Correction, consistent with the applicable State laws, Administrative Code provisions, and prison policy."

PART III. OFFICE OF STAFF DEVELOPMENT AND TRAINING (OSDT)

VESTED PROBATION AND PAROLE OFFICERS MAINTAIN ELIGIBILITY FOR SUPPLEMENTAL RETIREMENT WHEN SERVING IN CERTAIN ROLES

SECTION 3.1.(a) G.S. 135-1(17a) reads as rewritten:

"(17a) "Probation/Parole Officer" shall mean a full-time paid employee of the Division of Community Supervision and Reentry of the Department of Adult Correction whose duties include supervising, evaluating, or otherwise instructing offenders who have been placed on probation, parole, or post-release supervision or have been assigned to any other community-based program operated by the Division of Community Supervision and

Reentry. Reentry, or a full-time paid employee of the Department of Adult Correction's Office of Staff Development and Training who is certified as a Probation/Parole Officer and works exclusively in a training role."

SECTION 3.1.(b) This section is effective when it becomes law and applies to determinations under Article 1 of Chapter 135 of the General Statutes made on or after that date.

PART IV. REDUCE MEETING REQUIREMENT OF STATE REENTRY COUNCIL COLLABORATIVE

SECTION 4.1. G.S. 143B-1484(b) reads as rewritten:

"(b) The Secretary, or the Secretary's designee, shall chair the SRCC which shall meet at least ~~quarterly~~ annually upon the call of the chair. The SRCC shall study the needs of ex-offenders who have been recently released from a correctional institution and to increase the effectiveness of local reentry councils."

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.

CLARIFY PROBATION AND PAROLE RECORDS ACCESS FOR CHEROKEE AND CATAWBA MARSHALS SERVICES

SECTION 5.3. G.S. 1E-20 reads as rewritten:

"§ 1E-20. Cherokee and Catawba Marshals Services.

...

(c) Notwithstanding any other provision of law, marshals of the Cherokee Marshals Service shall have access to all probation and parole records of the North Carolina Department of ~~Public Safety-Adult Correction~~ to the same extent as a probation or post-release supervision officer of the Department for any person over which the Cherokee Tribal Courts have jurisdiction to proceed in a criminal case and impose a sentence, including a fine, community service, or

imprisonment. The Department may enter into a memorandum of understanding addressing the specifics of transferring information to the Cherokee Tribal Courts.

...
(f) Notwithstanding any other provision of law, Marshals of the Catawba Indian Nation shall have access to all probation and parole records of the North Carolina Department of ~~Public Safety~~ Adult Correction to the same extent as a probation or post-release supervision officer of the Department for any person with the Catawba Nation Tribal Courts have jurisdiction to proceed in a criminal case and impose a sentence, including a fine, community service, or imprisonment. The Department may enter into a memorandum of understanding addressing the specifics of transferring information to the Catawba Nation Tribal Courts."

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 6.2. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 2nd day of July, 2026.

s/ Phil Berger
President Pro Tempore of the Senate

s/ John R. Bell, IV
Presiding Officer of the House of Representatives

s/ Josh Stein
Governor

Approved 9:44 a.m. this 7th day of July, 2026