

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 711
Judiciary Committee Substitute Adopted 4/30/25

Short Title: ROD Removal/Gov. Security Breach Notice Costs. (Public)

Sponsors:

Referred to:

March 26, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE A REMOVAL PROCESS FOR REGISTERS OF DEEDS AND TO
3 REQUIRE THIRD-PARTY ENTITIES THAT CAUSE SECURITY BREACHES TO PAY
4 FOR OR REIMBURSE NORTH CAROLINA GOVERNMENTS FOR COSTS
5 ASSOCIATED WITH BREACH NOTIFICATIONS UNDER THE IDENTITY THEFT
6 PROTECTION ACT.

7 The General Assembly of North Carolina enacts:

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9 **PART I. ESTABLISHING A REMOVAL PROCESS FOR REGISTERS OF DEEDS**

10 **SECTION 1.** Article 1 of Chapter 161 of the General Statutes is amended by adding
11 a new section to read:

12 "**§ 161-11.7. Procedure for removal from office.**

13 (a) Grounds for Removal. – Any register of deeds shall be removed from office by the
14 judge of the superior court, resident in or holding the courts of the district encompassing the
15 county in which that register of deeds serves upon charges made in writing, and hearing
16 thereunder, for the following causes:

- 17 (1) For willful or habitual neglect or refusal to perform the duties of his or her
18 office.
19 (2) For willful misconduct or maladministration in office.
20 (3) For corruption.
21 (4) For extortion.
22 (5) Upon conviction of a felony.
23 (6) For intoxication, or upon conviction of being intoxicated.

24 (b) Petition for Removal; County Attorney to Prosecute. – The complaint or petition shall
25 be entitled in the name of the State of North Carolina, and may be filed upon the relation of any
26 five qualified electors of the county in which the person charged is the register of deeds, upon
27 the approval of the county attorney of such county, or the district attorney of the district, or by
28 any such officer upon his or her own motion. It shall be the duty of the county attorney or district
29 attorney to appear and prosecute this proceeding.

30 (c) Petition Filed With Clerk; What It Shall Contain; Answer. – The accused shall be
31 named as defendant, and the petition shall be signed by some elector, or by such officer. The
32 petition shall state the charges against the accused, and may be amended, and shall be filed in the
33 office of the clerk of the superior court of the county in which the person charged is the register
34 of deeds. The accused may at any time prior to the time fixed for hearing file in the office of the
35 clerk of the superior court his or her answer, which shall be verified.



1 (d) Suspension Pending Hearing; How Vacancy Filled. – Upon the filing of the petition
2 in the office of the clerk of the superior court, and the presentation of the same to the judge, the
3 judge may suspend the accused from office if in his or her judgment sufficient cause appears
4 from the petition and affidavit, or affidavits, which may be presented in support of the charges
5 contained therein. In case of removal, as herein provided, the vacancy shall be filled in the
6 manner provided by G.S. 161-5.

7 (e) Precedence on Calendar; Costs. – In the trial of the cause in the superior court, the
8 cause shall be advanced and take precedence over all other causes upon the court calendar and
9 shall be heard at the next session after the petition is filed, provided the proceedings are filed in
10 said court in time for said action to be heard. The superior court shall fix the time of hearing. If
11 the final termination of such proceedings be favorable to the accused, the accused shall be
12 allowed the reasonable and necessary expense, including a reasonable attorneys' fee, to be fixed
13 by the judge, incurred in making his or her defense, by the county. If the action is instituted upon
14 the complaint of citizens as herein provided, and it appears to the court that there was no
15 reasonable cause for filing the complaint, the costs may be taxed against the complaining parties."

16 **SECTION 2.** G.S. 161-23 reads as rewritten:

17 **"§ 161-23. Clerk to board of commissioners.**

18 The register of deeds, or such other county officer or employee as the board of county
19 commissioners shall designate in accordance with the provisions of G.S. 153-40, G.S. 153A-111,
20 shall be ex officio clerk of the board of county commissioners, and as such shall perform the
21 duties imposed by law or by order of said board."

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23 **PART II. SECURITY BREACH NOTIFICATIONS AND ASSOCIATED COSTS**

24 **SECTION 3.** Article 2A of Chapter 75 of the General Statutes is amended by adding
25 a new section to read:

26 **"§ 75-67. Governmental entities; breach notification and associated legal fees.**

27 Where a security breach or unauthorized release, as defined in G.S. 75-61 or in any other
28 applicable State or federal regulation, results from the acts or omissions of a third-party vendor
29 or contractor, the third-party vendor or contractor shall pay for or reimburse a North Carolina
30 governmental entity for the full cost of the notifications required by G.S. 75-65 and any
31 associated legal fees. This payment shall be made either through the third party's cyber liability
32 insurance provider or through the third party's own entity funds."

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34 **PART III. EFFECTIVE DATE**

35 **SECTION 4.** Section 3 of this act is effective when it becomes law and applies to
36 acts and omissions occurring on or after that date. The remainder of this act is effective when it
37 becomes law.