

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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HOUSE BILL 1173  
Committee Substitute Favorable 6/2/26  
Committee Substitute #2 Favorable 6/9/26  
Fourth Edition Engrossed 6/10/26

Short Title: Jaleeyah's Law.

(Public)

Sponsors:

Referred to:

May 4, 2026

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE CERTAIN MODIFICATIONS RELATED TO THE CRIMINAL LAWS  
3 OF NORTH CAROLINA AND TO APPROPRIATE CERTAIN FUNDS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** There is appropriated from the General Fund to the Conference of  
6 District Attorneys (Budget Code 12000, Budget Fund 100072) the sum of three hundred  
7 ninety-seven thousand fourteen dollars (\$397,014) in recurring funds beginning in the 2026-2027  
8 fiscal year and seven thousand five hundred four dollars (\$7,504) in nonrecurring funds to be  
9 used to hire two additional resource prosecutors in accordance with G.S. 7A-415. The  
10 prosecutors hired under this section shall focus on the prosecutions of criminal gang activity but  
11 may also perform other duties as assigned by the executive director of the Conference of District  
12 Attorneys.

13 **SECTION 1.(b)** There is appropriated from the General Fund to the Conference of  
14 District Attorneys (Budget Code 12000, Budget Fund 100072) the sum of one hundred thirty-six  
15 thousand two hundred ninety-eight dollars (\$136,298) in recurring funds beginning in the  
16 2026-2027 fiscal year and four thousand one hundred ninety-eight dollars (\$4,198) in  
17 nonrecurring funds to be used to hire a district attorney investigator. The investigator hired under  
18 this section shall focus on the prosecutions of criminal gang activity but may also perform other  
19 duties as assigned by the executive director of the Conference of District Attorneys.

20 **SECTION 1.(c)** This section becomes effective July 1, 2026.

21 **SECTION 2.(a)** G.S. 14-50.16A reads as rewritten:

22 **"§ 14-50.16A. Criminal gang activity.**

23 Definitions. – The following definitions apply in this Article:

- 24 (1) Criminal gang. – Any ongoing organization, association, or group of three or  
25 more persons, whether formal or informal, that ~~(i) has as one of its primary~~  
26 ~~activities the commission of criminal or delinquent acts and (ii) shares a~~  
27 common name, identification, signs, symbols, tattoos, graffiti, attire, or other  
28 distinguishing characteristics, including common activities, customs, or  
29 behaviors. ~~The term shall not include three or more persons associated in fact,~~  
30 ~~whether formal or informal, who are not engaged in criminal gang~~  
31 ~~activity behaviors, and engages in criminal gang activity.~~  
32 (2) Criminal gang activity. – The commission of, attempted commission of, or  
33 solicitation, coercion, or intimidation of another person to commit (i) any  
34 offense under Article 5 of Chapter 90 of the General Statutes or (ii) any



1 offense under Chapter 14 of the General Statutes except Article 9, 22A, 40,  
2 46, or 59 thereof, and further excepting G.S. 14-82, 14-145, 14-183, 14-184,  
3 14-186, 14-190.9, 14-247, 14-248, or 14-313 thereof, and either of the  
4 following conditions is met:

5 a. The offense is committed with the intent to benefit, promote, or further  
6 the interests of a criminal gang or for the purposes of increasing a  
7 person's own standing or position within a criminal gang.

8 b. The participants in the offense are identified as criminal gang members  
9 acting individually or ~~collectively to further any criminal purpose of a~~  
10 ~~criminal gang collectively.~~

11 (3) Criminal gang leader or organizer. – Any criminal gang member who acts in  
12 any position of management with regard to the criminal gang and who meets  
13 ~~two or more~~ at least one of the following criteria:

14 a. Exercises decision-making authority over matters regarding a criminal  
15 gang.

16 b. Participates in the direction, planning, organizing, or commission of  
17 criminal gang activity.

18 c. Recruits other gang members.

19 d. Receives a larger portion of the proceeds of criminal gang activity.

20 e. ~~Exercises control and authority over other criminal gang~~  
21 ~~members.~~ Supervises or directs the actions of another criminal gang  
22 member or members during criminal gang activity.

23 (4) Criminal gang member. – Any person who (i) meets three or more of the  
24 following criteria: criteria or (ii) meets at least two of the following criteria,  
25 and one of the criteria is sub-subdivision a., b., or c. of this subdivision:

26 a. The person admits to being a member of a criminal gang.

27 b. The person is identified as a criminal gang member by a reliable  
28 source, including a parent or a guardian.

29 c. The person is in possession of or linked to a criminal gang by physical  
30 evidence, including ledgers, rosters, or membership documents.

31 ~~e.d.~~ d. The person has been previously involved in criminal gang activity.

32 ~~d.e.~~ e. The person has adopted symbols, hand signs, or graffiti associated  
33 with a criminal gang.

34 e.f. The person has adopted the display of colors or the style of dress  
35 associated with a criminal gang.

36 ~~f. The person is in possession of or linked to a criminal gang by physical~~  
37 ~~evidence, including photographs, ledgers, rosters, written or electronic~~  
38 ~~communications, or membership documents.~~

39 g. The person has tattoos or markings associated with a criminal gang.

40 h. The person has adopted language or terminology associated with a  
41 criminal gang.

42 i. The person appears in any form of photographs, social media-media,  
43 or written or electronic communication to promote a criminal  
44 gang-gang or document criminal gang activity."

45 **SECTION 2.(b)** This section becomes effective December 1, 2026, and applies to  
46 offenses committed on or after that date.

47 **SECTION 3.(a)** G.S. 14-50.17 reads as rewritten:

48 "**§ 14-50.17. Soliciting; encouraging participation.**

49 (a) It is unlawful for any person to cause, encourage, solicit, or coerce a person ~~16-18~~  
50 years of age or older to participate in criminal gang activity.

51 (b) A violation of this section is a ~~Class H~~ Class F felony."

1           **SECTION 3.(b)** G.S. 14-50.18 reads as rewritten:

2   "**§ 14-50.18. Soliciting; encouraging participation; minor.**

3       (a) It is unlawful for any person to cause, encourage, solicit, or coerce a person under ~~16~~  
4   18 years of age to participate in criminal gang activity.

5       (b) A violation of this section is a ~~Class F~~Class D felony.

6       (c) Nothing in this section shall preclude a person who commits a violation of this section  
7 from criminal culpability for the underlying offense committed by the minor under any other  
8 provision of law."

9           **SECTION 3.(c)** This section becomes effective December 1, 2026, and applies to  
10 offenses committed on or after that date.

11           **SECTION 4.(a)** Article 13A of Chapter 14 of the General Statutes is amended by  
12 adding a new section to read:

13   "**§ 14-50.32. Use, carry, or possess a firearm by a member of a criminal gang in relation to**  
14   **or in furtherance of a serious felony, drug crime, or a crime of violence.**

15       (a) For the purposes of this section, the following definitions apply:

16           (1) Brandish. – To display all or part of a firearm or otherwise make the presence  
17           of the firearm known to another person.

18           (2) Crime of violence. – Any offense that would be chargeable by indictment  
19           under the laws of this State for which the State proves, based on the  
20           defendant's actual conduct in committing the offense, that the defendant or  
21           another participant acting in concert with the defendant, used, attempted to  
22           use, or threatened to use physical force against the person or property of  
23           another.

24           (3) Drug crime. – Any offense that would be chargeable by indictment under  
25           Article 5 of Chapter 90 of the General Statutes.

26           (4) Firearm. – Any (i) weapon, including a starter gun, which will or is designed  
27           to or may readily be converted to expel a projectile by the action of an  
28           explosive, or its frame or receiver, or (ii) firearm muffler or firearm silencer.  
29           This term does not include an antique firearm as defined in G.S. 14-409.11.

30           (5) Serious felony. – Any offense that would be chargeable under Chapter 14 of  
31           the General Statutes that is a Class A, B1, B2, C, D, or E felony.

32       (b) It shall be unlawful for any member of a criminal gang to use or carry a firearm during  
33       and in relation to, or to possess a firearm in furtherance of, any serious felony, drug crime, or  
34       crime of violence. A violation of this subsection is a Class G felony, unless subsection (c) or (d)  
35       of this section applies.

36       (c) If a firearm is brandished during the commission of the offense, then the violation is  
37       a Class F felony.

38       (d) If a firearm is discharged during the commission of the offense, then the violation is  
39       a Class D felony."

40           **SECTION 4.(b)** Article 13A of Chapter 14 of the General Statutes is amended by  
41 adding a new section to read:

42   "**§ 14-50.33. Sell, deliver, give, or transfer a firearm to a juvenile by a member of a criminal**  
43   **gang.**

44       (a) It shall be unlawful for a member of a criminal gang to sell, deliver, give, or otherwise  
45       transfer a firearm to a person whom the criminal gang member knows or has reasonable cause to  
46       believe is a juvenile. For purposes of this section, the term "juvenile" means a person who is less  
47       than 18 years of age.

48       (b) A violation of this section is a Class G felony."

49           **SECTION 4.(c)** Article 13A of Chapter 14 of the General Statutes is amended by  
50 adding a new section to read:

51   "**§ 14-50.34. Use of witness testimony.**

1 Criminal gang activity, membership, association, leadership, and existence may be proven  
 2 through the testimony of a fact witness, an expert witness, or a combined fact and expert witness  
 3 pursuant to Chapter 8C of the General Statutes. In any proceeding pursuant to this Article, expert  
 4 testimony is admissible to show particular conduct, status, and customs indicative of criminal  
 5 gangs and criminal gang activity, including any of the following:

- 6 (1) Characteristics of persons who are members of a criminal gang.
- 7 (2) Specific rivalries between criminal gangs.
- 8 (3) Common practices and operations of criminal gangs and members of those  
 9 criminal gangs.
- 10 (4) Social customs and behavior of members of criminal gangs.
- 11 (5) Terminology used by members of criminal gangs.
- 12 (6) Codes of conduct, including criminal conduct, of particular criminal gangs.
- 13 (7) The types of crimes that are likely to be committed by a particular criminal  
 14 gang or by criminal gangs in general."

15 **SECTION 4.(d)** Article 13A of Chapter 14 of the General Statutes is amended by  
 16 adding a new section to read:

17 **"§ 14-50.35. Venue.**

18 In any criminal proceeding brought under this Article, the crime shall be construed to have  
 19 been committed in any county in which any act was performed as part of criminal gang activity."

20 **SECTION 4.(e)** This section becomes effective December 1, 2026, and applies to  
 21 offenses committed on or after that date.

22 **SECTION 5.(a)** Article 4 of Chapter 8C of the General Statutes is amended by  
 23 adding a new section to read:

24 **"Rule 416. Evidence of criminal gang activity.**

25 (a) For purposes of this rule, the term "criminal gang activity" is as defined in  
 26 G.S. 14-50.16A.

27 (b) In any proceeding in which a person is accused of conducting, participating in, or  
 28 conspiring to commit criminal gang activity, or in any proceeding under Article 13B of Chapter  
 29 14 of the General Statutes, evidence of the defendant's commission of criminal gang activity may  
 30 be considered for the purpose of proving any element of the alleged criminal offense.

31 (c) In any proceeding in which the prosecution intends to offer evidence under this rule,  
 32 the prosecutor shall disclose the evidence to the defendant, including statements of witnesses or  
 33 a summary of the substance of any testimony that is expected to be offered, at least 10 days in  
 34 advance of trial, unless the time is shortened or lengthened or pretrial notice is excused by the  
 35 judge upon good cause shown.

36 (d) This rule shall not be the exclusive means to admit or consider the evidence described  
 37 in this rule."

38 **SECTION 5.(b)** This section becomes effective December 1, 2026, and applies to  
 39 offenses committed on or after that date.

40 **SECTION 6.(a)** G.S. 15A-1340.16E reads as rewritten:

41 **"§ 15A-1340.16E. Enhanced sentence for offenses committed by criminal gang members as**  
 42 **a part of criminal gang activity.**

43 (a) Except as otherwise provided in subsection (b) of this section, if a person is convicted  
 44 of any felony other than a Class A, B1, or B2 felony, and it is found that the offense was  
 45 committed as part of criminal gang activity as defined in G.S. 14-50.16A(2), then the person shall  
 46 be sentenced at a felony class level ~~one class~~ two classes higher than the principal felony for  
 47 which the person was convicted.

48 (b) If subsection (a) of this section applies and the person is found to be a criminal gang  
 49 leader or organizer as defined in G.S. 14-50.16A(3), the person shall be sentenced at a felony  
 50 class level ~~two~~ three classes higher than the principal felony for which the person was convicted.

51 ...."

1                   **SECTION 6.(b)** This section becomes effective December 1, 2026, and applies to  
2 offenses committed on or after that date.  
3                   **SECTION 7.** Except as otherwise provided, this act is effective when it becomes  
4 law.