

## The Daily Bulletin: 2025-07-28

### PUBLIC/SENATE BILLS

S 55 (2025-2026) **EXPEDITED REMOVAL OF UNAUTHORIZED PERSONS. (NEW)** Filed Feb 5 2025, *AN ACT TO CREATE AN ALTERNATIVE REMEDY FOR THE EXPEDITED REMOVAL OF UNAUTHORIZED PERSONS FROM PRIVATE PROPERTY BY A LAW ENFORCEMENT AGENCY.*

House committee substitute to the 1st edition removes the content of the previous edition and replaces it with the following. Makes conforming changes to the act's titles.

Adds new Article 22D, "Expedited Removal of Unauthorized Persons from Residential Property," to GS Chapter

14. Defines *unauthorized person* as a person or persons occupying residential property who have no legal claim to the property, are not entitled to occupy it under a valid rental agreement or contract for deed, have not paid any rent or other form of payment to the property owner or an authorized representative of the property owner in connection with the occupancy of the property, and are not otherwise authorized to occupy the property. Excludes a tenant who holds over after the lease term has expired under GS 42-26 from the definition. Also defines *authorized representative*, *contract for deed*, *law enforcement agency*, *real estate broker*, *residential property*, and *tenant*. Requires in new GS 14-159.51 in order for a property owner or authorized representative of the property owner to initiate an expedited removal proceeding to remove the unauthorized person, that the complaint allege at least:

- The requesting party is the property owner or their authorized representative.
- The property that is being unlawfully occupied is residential property or property used in connection with or appurtenant to residential property.
- An unauthorized person has entered the property after the property owner acquired the property and is remaining or residing unlawfully on the residential property of the property owner.
- The property was not offered or intended as an accommodation for the general public at the time the unauthorized person entered.
- The property owner or the authorized representative of the property owner has directed the unauthorized person to leave the residential property.
- The unauthorized person is not a tenant of the owner of the property being unlawfully occupied.
- The unauthorized person is not an owner of the unlawfully occupied property.
- There is no pending litigation between the property owner and the unauthorized person related to the residential property.
- No other valid rental agreement or contract for deed has been entered into or formed by the property owner or a former property owner and the unauthorized person permitting the unauthorized person to occupy the residential property.
- No rent or other form of payment has ever been demanded of or paid by the unauthorized person to the property owner or to an authorized representative of the property owner in connection with the occupancy of the residential property.

Sets out the process for the expedited removal proceeding under new GS 14-159.52, which starts by filing a complaint and issuing a summons in the county where the property is located. Allows the complaint to be filed with, and summons issued by, a magistrate when the office of the clerk of superior court is closed. Requires the complainant to give the summons and complaint to the sheriff and requires the sheriff to serve the summons and complaint for expedited removal on the unauthorized person either personally or by posting it on the property's front door within 24 hours of the sheriff receiving the summons and complaint. Requires a hearing on the removal to be held before a magistrate as soon as practicable, but no more than 48 hours after service. Requires, when the court finds for the property owner or their authorized representative, that the court immediately enter a written order giving the owner or their authorized representative possession and stating the time by which the unauthorized person must vacate the property, which must be no more than four hours after service of the order on the unauthorized person. Requires that the order be served on the unauthorized person at the hearing, and sets out a process for service when the person is not at the hearing or leaves before being served.

New GS 14-159.53 allows an unauthorized person, property owner, or the property owner's authorized representative to appeal a court order to the district court for a trial de novo. Requires, when the court finds for the property owner or their representative, the court to determine the amount of the appeal bond that the unauthorized person must be required to post if they seek to appeal the court order, which must be at least \$10,000, but may be set higher using the described parameters.

Enacts new GS 14-159.54 to allow the property owner or their authorized representative to remove the personal property of an unauthorized person and place it at or near the property line when the court has entered an order of removal and the person fails to remove personal property from the residence within the time allowed in the order. Specifies that failure of an unauthorized person to vacate a residence in accordance with a court order constitutes criminal trespass.

New GS 14-159.55 provides immunity from liability for a law enforcement agency, officer, or magistrate for compliance with or actions taken in furtherance of this Article, so long as the acts or omission is made in good faith and does not constitute gross negligence, willful or wanton misconduct, or intentional wrongdoing. Also provides that the property owner and their authorized representative are not liable for the loss or destruction of or damage to any personal property arising from or related to the removal of an unauthorized person under this Article unless the removal was wrongful.

Allows in new GS 14-159.56 a person to bring a civil cause of action against a property owner or their authorized representative for wrongful removal under this Article. Entitles the person harmed to recover possession of the property and the recovery of damages limited to actual damages as in action for trespass or conversion (excluding punitive damage, treble damage, or damages for emotional distress). Specifies that the Article does not limit the rights of a property owner or limit the authority of law enforcement to arrest an unauthorized person for trespassing, vandalism, theft, or other crimes. Specifies that the remedies under this statute are supplementary to all existing common-law and statutory rights and remedies.

Effective December 1, 2025.

**Intro. by Lee, Burgin, Barnes.**

GS 14

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**Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing**

S 772 (2025-2026) **ADJOURNMENT RESOLUTION**. Filed Jun 26 2025, *A JOINT RESOLUTION ADJOURNING THE 2025 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING.*

House committee substitute to the 1st edition makes the following changes.

Changes the adjournment date to Thursday, July 31, 2025, (was, July 1, 2025) and makes conforming changes throughout. Removes references to bills returned for concurrence and conference reports that directly and primarily affect the State budget and primarily affect any State or local pension or retirement system from listed specifically as the types of bills for concurrence and conference reports that can be considered when the General Assembly reconvenes. Expands the matters that can be considered during the dates the General Assembly reconvenes in August and September after adjourning on July 31, 2025, to include bills and resolutions introduced in 2025 that (1) passed third reading in 2025 in the house in which introduced, were received in the other house and not disposed of in the other house by tabling, unfavorable committee report, indefinite postponement, or failure to pass any reading and which do not violate the rules of the receiving house or (2) are not subject to the deadline set forth in the described Senate and House rules.

Provides for the following new dates that the General Assembly is set to reconvene: (1) October 21, 2025, (was, October 7 and 28-30); (2) November 18, 2025, (was, November 5); (3) December 16, 2025; (4) January 13, 2026; (5) February 10, 2026; (6) March 10, 2026; (7) April 7, 2026; and (8) April 21, 2026 (short session). Retains the dates of August 26-28, 2025 and September 23-25, 2025.

Expands what can be considered during the short session that begins on April 21, 2026, to the following:

1. Bills directly and primarily affecting the State budget including, the budget of an occupational licensing board for 2026-27 and bills authorizing a fee for a unit of State government or political subdivision so long as a draft is provided to bill drafting by no later than 4:00 PM on April 13, 2026, and introduced in the House of Representatives or filed for introduction in the Senate by no later than 4:00 PM on April 30, 2026.
2. Bills proposing amendments to the NC Constitution, as described, or making statutory or transitional changes to implement these bills.
3. Bills and resolutions introduced in 2025 that (1) passed third reading in 2025 in the house in which introduced, were received in the other house and not disposed of in the other house by tabling, unfavorable committee report, indefinite postponement, or failure to pass any reading and which do not violate the rules of the receiving house or (2) not subject to the deadline set forth in the described Senate and House rules.
4. Bills and resolutions implementing the recommendations of the five listed types of commissions and committees, including the General Statutes Commission, study commissions, and the Joint Legislative Ethics Committee or its Advisory Subcommittee. Requires such bills to be submitted to bill drafting By April 13, 2026, and introduced in the House of Representatives or filed for introduction in the Senate by no later than 4:00 PM on April 29, 2026.
5. Any local bill that has been submitted to bill drafting By April 13, 2026, and introduced in the House of Representatives or filed for introduction in the Senate by no later than 4:00 PM on May 5, 2026.
6. Bills for selection, appointment, or confirmation as required by law, including the filling of vacancies of positions for appointees elected by the NCGA upon recommendation of the Speaker of the House, President of the Senate, President Pro Tempore of the Senate, or minority leader.
7. Bills for action on gubernatorial nominations or appointments.
8. Any matter authorized by joint resolution passed by a two-thirds majority of the members of each chamber present and voting. A bill or resolution filed in either house under these provisions must have a copy of the ratified enabling resolution attached to the jacket before filing for introduction in either chamber.
9. A joint resolution authorizing the introduction of the above-described bill.
10. Bills affecting State or local pension or retirement systems so long as a draft is provided to bill drafting by no later than 4:00 PM on April 13, 2026, and introduced in the House of Representatives or filed for introduction in the Senate by no later than 4:00 PM on April 30, 2026.
11. Bills vetoed by the Governor solely for the purpose of considering overriding of the veto upon reconsideration of the bill.
12. Joint and simple resolutions authorized under the specified chamber rules.
13. Bills responding to actions related to litigation challenging the legality of legislative enactments.
14. Bills relating to election laws, including bills concerning the districts for Congressional, State House, State Senate, judicial, municipal, county, and other elected officials.
15. Bills to disapprove rules under GS 150B-21.3.
16. Bills providing for impeachment.
17. A joint resolution further adjourning the 2025 Regular Session, amending a joint resolution adjourning the 2025 Regular Session, or adjourning the 2025 Regular Session, sine die.

**Intro. by Rabon.**

**JOINT RES**

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**Government, General Assembly**

## **ACTIONS ON BILLS**

## **PUBLIC BILLS**

### **H 8: NC MANAGING ENVIRONMENTAL WASTE ACT OF 2025.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 07/29/2025*

**H 907: NC RECOVERY AND RESILIENCY ACT.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Emergency Management and Disaster Recovery, if favorable, Agriculture and Environment, if favorable, Rules, Calendar, and Operations of the House*

**H 1015: GENERAL ASSEMBLY APPOINTMENTS.**

*House: Passed 1st Reading*

*House: Ref To Com On Rules, Calendar, and Operations of the House*

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 07/29/2025*

**S 50: FREEDOM TO CARRY NC.**

*Senate: Withdrawn From Com*

*Senate: Placed On Cal For 07/29/2025*

**S 55: EXPEDITED REMOVAL OF UNAUTHORIZED PERSONS. (NEW)**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 07/29/2025*

**S 153: NORTH CAROLINA BORDER PROTECTION ACT.**

*Senate: Withdrawn From Com*

*Senate: Placed On Cal For 07/29/2025*

**S 227: ELIMINATING "DEI" IN PUBLIC EDUCATION.**

*Senate: Withdrawn From Com*

*Senate: Placed On Cal For 07/29/2025*

**S 254: CHARTER SCHOOL CHANGES. (NEW)**

*Senate: Withdrawn From Com*

*Senate: Placed On Cal For 07/29/2025*

**S 266: THE POWER BILL REDUCTION ACT. (NEW)**

*Senate: Withdrawn From Com*

*Senate: Placed On Cal For 07/29/2025*

**S 416: PERSONAL PRIVACY PROTECTION ACT.**

*Senate: Withdrawn From Com*

*Senate: Placed On Cal For 07/29/2025*

**S 558: ELIMINATING "DEI" IN PUBLIC HIGHER ED.**

*Senate: Withdrawn From Com*

*Senate: Placed On Cal For 07/29/2025*

**S 772: ADJOURNMENT RESOLUTION.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 07/29/2025*

**LOCAL BILLS**

**S 214: VARIOUS LOCAL BOUNDARIES.(NEW)**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

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