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SENATE BILL DRS35157-ML-41

Short Title: Amend Hazing Laws.

(Public)

Sponsors: Senators Galey, Barnes, and Overcash (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED
AN ACT TO REVISE THE CRIMINAL OFFENSE OF HAZING AND TO REQUIRE
EDUCATION ENTITIES TO ESTABLISH POLICIES AND PROCEDURES TO
PREVENT HAZING.

The General Assembly of North Carolina enacts:

PART I. REVISE CRIMINAL OFFENSE OF HAZING

SECTION 1.(a) G.S. 14-35 is repealed.

SECTION 1.(b) Article 9 of Chapter 14 of the General Statutes is amended by
adding a new section to read:

"§ 14-35.1. Hazing.

(a) Definitions. – The following definitions apply in this section:

(1) Alcoholic beverage. – As defined in G.S. 18B-101.

(2) Controlled substance. – As defined in G.S. 90-87.

(3) Educational institution. – A secondary educational institution or
postsecondary educational institution.

(4) Hazing. – Any intentional, knowing, or reckless act committed by a person,
whether individually or in concert with other persons, against a minor or
student of an educational institution, whether or not committed on the
education institution's campus or property, for the purpose of recruiting,
joining, pledging, initiating, admitting, affiliating with, or for the purpose of
continuing or enhancing status in an organization, that causes, coerces, or
forces a minor or student to do any of the following:

a. Violate State or federal law.

b. Consume any food, liquid, alcoholic beverage, controlled substance,
or other substance in any non-customary manner which subjects the
minor or student to a substantial risk of emotional or physical harm,
including sickness, vomiting, intoxication, or unconsciousness.

c. Endure brutality of a physical nature, including whipping, beating,
paddling, branding, dangerous physical activity, or exposure to the
elements, or to endure threats of such conduct, that results in medically
verifiable mental or physical harm.

d. Endure brutality of a mental nature, including activity adversely
affecting the mental health or dignity of the individual, sleep
deprivation, exclusion from social contact, conduct that could result in



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- 1 extreme embarrassment or to endure threats of such conduct that
2 results in medically verifiable mental or physical harm.
3 e. Endure any other activity which adversely affects the health and safety
4 of the individual.
5 (5) Local affiliate organization. – An organization that is chartered or recognized
6 by a national organization and may include students or non-students.
7 (6) Local organization. – An organization that is not chartered nor recognized by
8 a national organization.
9 (7) Minor. – A person who is less than 18 years of age.
10 (8) National organization. – An organization that is separate from a local affiliate
11 organization and may charter or recognize local affiliate organizations at
12 multiple educational institutions.
13 (9) Organization. – A club, association, corporation, order, society, corps, private
14 club, fraternity, sorority, varsity or club athletic team, or a social, service, or
15 similar group, whose members are primarily students or alumni of one or more
16 educational institutions.
17 (10) Postsecondary educational institution. – Any of the following:
18 a. An institution, as defined in G.S. 116-15, undertaking or conducting
19 postsecondary degree activity in this State.
20 b. A constituent institution, as defined in G.S. 116-2.
21 c. A community college, as defined in G.S. 115D-2.
22 (11) Secondary educational institution. – A public or nonpublic secondary school
23 operating in this State and serving students in grades nine through 12 or any
24 combination of those grades.
25 (12) Serious bodily injury. – As defined in G.S. 14-32.4. This term includes
26 incapacitation as a result of consumption of alcohol that results in a minor or
27 student requiring emergency medical attention or having a blood alcohol
28 concentration of 0.25 or greater.
29 (13) Student. – Any person who is registered in or in attendance at an educational
30 institution or who has been accepted for admission at the educational
31 institution at which the hazing occurs.
32 (b) Personal Offense. – A person commits an offense under this subsection if the person
33 requested, authorized, commanded, encouraged, or participated in hazing, or knowingly aided,
34 assisted, or conspired with another person to commit hazing.
35 (c) Organizational Offense. – All of the following are offenses under this subsection:
36 (1) A local organization or local affiliate organization commits an offense under
37 this subsection when the elected leadership of the local organization or local
38 affiliate organization had specific knowledge its member, employee, or
39 volunteer was participating, aiding, or assisting in any act of hazing a minor
40 or student and did not attempt to intervene to stop the hazing or report it to the
41 appropriate local authorities.
42 (2) A national organization commits an offense under this subsection if an
43 employee or volunteer of the national organization or member of the national
44 organization's governing board of directors knowingly directed, supervised,
45 or actively participated in any act of hazing a minor or student.
46 (3) A postsecondary educational institution commits an offense under this
47 subsection if an employee or volunteer of the postsecondary educational
48 institution or member of the educational institution's governing board of
49 trustees knowingly directed, supervised, or actively participated in any act of
50 hazing a minor or student.

(d) Failure to Seek Assistance. – A person who actively directs or engages in an act of hazing which results in the injury of a minor or student, shall, to the extent that the person can do so without danger or peril to himself or herself or others, give reasonable assistance to the injured minor or student. For purposes of this subsection, the term "reasonable assistance" includes immediately seeking or reporting the need for medical assistance to the local emergency medical service provider or a 911 system equivalent.

(e) Punishment for Commission of Personal Offense. – Unless the conduct is covered under some other provision of law providing greater punishment, the following penalties apply to a violation of subsection (b) of this section:

(1) If commission of the offense results in serious bodily injury or death, a person is guilty of a Class C felony, which may include a fine of fifteen thousand dollars (\$15,000).

(2) For any other violation of subsection (b) of this section, a person is guilty of a Class A1 misdemeanor, which shall include a fine of five thousand dollars (\$5,000).

(f) Punishment for Commission of Organizational Offense. – A local organization, local affiliate organization, national organization, or postsecondary educational institution that violates subsection (c) of this section shall be fined not more than fifteen thousand dollars (\$15,000).

(g) Failure to Seek Assistance. – Unless the conduct is covered under some other provision of law providing greater punishment, the following penalties apply to a violation of subsection (d) of this section:

(1) A person who fails to seek assistance for an injured minor or student, pursuant to subsection (d) of this section, where no serious bodily injury or death occurs, is guilty of a Class 2 misdemeanor, which may include a fine of not more than one thousand dollars (\$1,000).

(2) A person who fails to seek assistance for an injured minor or student, pursuant to subsection (d) of this section, where serious bodily injury or death occurs, is guilty of a Class E felony, which may include a fine of not more than two thousand dollars (\$2,000).

(h) Prohibited Defenses. – Neither of the following are defenses to a prosecution under this section:

(1) The implied or expressed consent of the minor or student whom the hazing was directed against.

(2) The argument that the hazing conduct was approved or sanctioned by a local organization, local affiliate organization, national organization, or educational institution, or was traditional or customary.

(i) Immunities. – A student, local organization, local affiliate organization, or national organization who in good faith reports or participates in reporting an allegation of hazing to local law enforcement or an educational institution in advance of hazing that causes injury to a minor or student and who takes reasonable steps to prevent hazing in the future shall not be subject to any civil or criminal liability arising from the reported hazing. A person acting in good faith and in a timely manner shall be immune from prosecution for the criminal offenses related to hazing or alcohol possession, consumption, or distribution if all of the following requirements are met:

(1) A law enforcement officer has contact with the person because the person did any of the following:

a. Requested emergency medical assistance for himself or herself or another minor or student.

b. Acted in concert with another person who requested emergency medical assistance.

c. Appeared to be in need of emergency medical assistance and is the individual for whom the request was made.

- (2) The request was made for a minor or student who reasonably appeared to need medical assistance due to alcohol consumption or hazing.
- (3) The person claiming immunity under this subsection, if physically capable, did all of the following:
- a. Provided his or her own full name if requested by emergency medical assistance personnel or law enforcement officers.
 - b. Provided any other relevant information requested by the law enforcement officer that is known to the person.
 - c. Remained with, or is, the minor or student who reasonably appeared to need medical assistance due to alcohol consumption or hazing, until professional emergency medical assistance was provided.
 - d. Cooperated with emergency medical assistance personnel and law enforcement officers."

SECTION 1.(c) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

PART II. REQUIRE EDUCATION ENTITIES TO ESTABLISH POLICIES AND PROCEDURES TO PREVENT HAZING

SECTION 2.(a) Article 27 of Chapter 115C of the General Statutes is amended by adding the following new section to read:

"§ 115C-393. Hazing.

(a) Definition. – For purposes of this section, the following definitions apply:

- (1) Hazing. – As defined in G.S. 14-35.1(a)(4).
- (2) Local affiliate organization. – As defined in G.S. 14-35.1(a)(6).
- (3) National organization. – As defined in G.S. 14-35.1(a)(8).
- (4) Organization. – As defined in G.S. 14-35.1(a)(9).
- (5) Serious bodily injury. – As defined in G.S. 14-35.1(a)(12).

(b) Investigation. – The governing board of each public school unit that provides secondary education shall require every school within the public school unit that contains all or part of grades nine through 12 to investigate all allegations of hazing by students according to the standard disciplinary processes for that school. A school shall not pursue a hazing investigation if it determines that the student has immunity under G.S. 14-35.1(i).

(c) Educational Plan. – The Department of Public Instruction, in consultation with the State Board of Education, the Board of Governors of The University of North Carolina, and the State Board of Community Colleges, shall develop an educational plan for public school units to prevent hazing, including information on hazing awareness, prevention, and intervention. The plan shall include provisions for public school units to coordinate with national organizations to provide training to any local affiliate organizations operating in the State.

(d) Educational Program. – Public school units shall provide students with an in-person or online educational program on hazing that includes the educational plan developed by the Department and any applicable policies of the public school unit on hazing. All students shall be required to complete the program within 30 days of enrollment in a school in the unit. A student shall not be permitted to engage in extracurricular student activities unless the student has completed the program.

(e) Reporting. – To the extent permitted by federal law, including the federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g., each public school unit shall provide information on all hazing violations committed by organizations as follows:

- (1) Each public school unit shall maintain and publish in a prominent location on its website, no later than 10 days prior to the start of each semester, a record of all hazing violations committed by organizations from the prior semester, as follows:

- 1 a. The report shall include at least the following information:
2 1. The name of the organization.
3 2. The date the organization was charged with hazing.
4 3. The date the hazing occurred.
5 4. The date the investigation into the hazing began.
6 5. A general description of the incident and the related charges,
7 findings, and punishments.
8 6. The date the investigation ended.
9 7. The date of adjudication of the offense.
10 b. The report shall not include any investigations into hazing that did not
11 result in a violation.
12 c. The webpage that contains the hazing records shall include a statement
13 notifying readers of the availability of additional information related
14 to the recorded violations, where to find additional information about
15 the violations, and a citation to this section.
16 (2) Each public school unit shall provide a printed notice to all students at the
17 beginning of each school year with information about where to access the
18 information reported pursuant to subdivision (1) of this subsection.
19 (3) All records maintained pursuant to this subsection shall be kept for at least
20 five years.
21 (4) Each public school unit shall report any alleged hazing violation involving
22 serious bodily injury or significant risk of serious bodily injury that was
23 committed by an organization to local law enforcement within 72 hours of
24 learning of the alleged violation."
25 **SECTION 2.(b)** G.S. 115C-47 is amended by adding a new subdivision to read:
26 "(70) To Prevent Hazing. – A local board of education shall comply with the
27 applicable hazing requirements provided in G.S. 115C-393 to prevent
28 hazing."
29 **SECTION 2.(c)** G.S. 115C-150.12C is amended by adding a new subdivision to
30 read:
31 "(37) Prevent hazing. – The board of trustees shall comply with the applicable
32 hazing requirements provided in G.S. 115C-393 to prevent hazing."
33 **SECTION 2.(d)** G.S. 115C-218.75 is amended by adding a new subsection to read:
34 "(p) Prevent Hazing. – A charter school shall comply with the applicable hazing
35 requirements provided in G.S. 115C-393 to prevent hazing."
36 **SECTION 2.(e)** G.S. 115C-238.66 is amended by adding a new subdivision to read:
37 "(23) Prevent hazing. – A regional school shall comply with the applicable hazing
38 requirements provided in G.S. 115C-393 to prevent hazing."
39 **SECTION 2.(f)** G.S. 116-239.8(b) is amended by adding a new subdivision to read:
40 "(26) Prevent hazing. – A laboratory school shall comply with the applicable hazing
41 requirements provided in G.S. 115C-393 to prevent hazing."
42 **SECTION 2.(g)** Part 3 of Article 1 of Chapter 116 of the General Statutes is amended
43 by adding the following new section to read:
44 "**§ 116-40.14. Hazing.**
45 (a) Definition. – The following definitions shall apply in this section:
46 (1) Hazing. – As defined in G.S. 14-35.1(a)(4).
47 (2) Local affiliate organization. – As defined in G.S. 14-35.1(a)(6).
48 (3) National organization. – As defined in G.S. 14-35.1(a)(8).
49 (4) Organization. – As defined in G.S. 14-35.1(a)(9).

(5) Public institution of higher education. – A constituent institution of The University of North Carolina, as defined in G.S. 116-2(4), that is an institution of higher education or a community college, as defined in G.S. 115D-2(2).

(6) Serious bodily injury. – As defined in G.S. 14-35.1(a)(12).

(b) Investigation. – Each public institution of higher education shall investigate all allegations of hazing by students according to the standard disciplinary processes for that institution. A school shall not pursue a hazing investigation if it determines that the student has immunity under G.S. 14-35.1(i).

(c) Educational Plan. – The Board of Governors of The University of North Carolina, in consultation with the State Board of Community Colleges, the Department of Public Instruction, and the State Board of Education, shall develop an educational plan for public institutions of higher education to prevent hazing, including information on hazing awareness, prevention, and intervention. The plan shall include provisions for public institutions of higher education to coordinate with national organizations to provide training to any local affiliate organizations operating in the State.

(d) Educational Program. – Public institutions of higher education shall provide students with an in-person or online educational program on hazing that includes the educational plan developed by the Board of Governors and any applicable policies of the public institution of higher education on hazing. All students shall be required to complete the program within 30 days of enrollment in the institution. A student shall not be permitted to continue enrollment in the institution or engage in extracurricular student activities unless the student has completed the program.

(e) Reporting. – To the extent permitted by federal law, including the federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g., each public institution of higher education shall provide information on all hazing violations committed by organizations as follows:

(1) Each public institution of higher education shall maintain and publish in a prominent location on its website, no later than 10 days prior to the start of each semester, a record of all hazing violations committed by organizations from the prior semester, as follows:

a. The report shall include at least the following information:

1. The name of the organization.

2. The date the organization was charged with hazing.

3. The date the hazing occurred.

4. The date the investigation into the hazing began.

5. A general description of the incident and the related charges, findings, and punishments.

6. The date the investigation ended.

7. The date of adjudication of the offense.

b. The report shall not include any investigations into hazing that did not result in a violation.

c. The webpage that contains the hazing records shall include a statement notifying readers of the availability of additional information related to the recorded violations, where to find additional information about the violations, and a citation to this section.

(2) Each public institution of higher education shall provide a printed notice to all students at the beginning of each academic year with information about where to access the information reported pursuant to subdivision (1) of this subsection.

(3) All records maintained pursuant to this subsection shall be kept for at least five years.

(4) Each public institution of higher education shall report any alleged hazing violation involving serious bodily injury or significant risk of serious bodily injury that was committed by an organization to local law enforcement within 72 hours of learning of the alleged violation."

SECTION 2.(h) G.S. 115D-5 is amended by adding the following new subsection to read:

"(aa) The State Board shall adopt a policy requiring all community colleges to comply with the applicable hazing requirements provided in G.S. 116-40.14 to prevent hazing."

SECTION 2.(i) This section applies beginning with the 2025-2026 school year and the 2025-2026 academic year. The Department of Public Instruction and the Board of Governors of The University of North Carolina shall submit the first report required pursuant to G.S. 115C-393(e) and G.S. 116-40.14(e), as enacted by this section, on October 15, 2026, based on data from the spring 2026 semester.

PART III. SAVINGS CLAUSE AND EFFECTIVE DATE

SECTION 3.(a) Prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

SECTION 3.(b) Except as otherwise provided, this act is effective when it becomes law.