



CHAPTER 14
ARTICLE 33 - PRISON BREACH AND PRISONERS

N.C.G.S. § 14-258.1.

Furnishing poison, controlled substances, deadly weapons, cartridges, ammunition or alcoholic beverages to inmates of charitable, mental or penal institutions or local confinement facilities; furnishing tobacco products including vapor products; or furnishing mobile phones to inmates or delinquent juveniles.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2023-121, s. 16(a) — twenty-fourth act in the lineage	21 September 2026, 04:12 UTC	821b7756a564101a3f6c76e3 - 3749adf0d6b9928873a0ddb - 6763d60d3301d185

§ 14-258.1(a)
CLASS H FELONY

If any person shall give or sell to any inmate of any charitable, mental or penal institution, or local confinement facility, or if any person shall combine, confederate, conspire, aid, abet, solicit, urge, investigate, counsel, advise, encourage, attempt to procure, or procure another or others to give or sell to any inmate of any charitable, mental or penal institution, or local confinement facility, any deadly weapon, or any cartridge or ammunition for firearms of any kind, or any controlled substances included in Schedules I through VI contained in Article 5 of Chapter 90 of the General Statutes except under the general supervision of a practitioner, poison or poisonous substance, except upon the prescription of a physician, he shall be punished as a Class H felon; and if he be an officer or employee of any institution of the State, or of any local confinement facility, he shall be dismissed from his position or office.

§ 14-258.1(b)

Any person who shall knowingly give or sell any alcoholic beverages to any inmate of any State mental or penal institution, or to any inmate of any local confinement facility, except for medical purposes as prescribed by a duly licensed physician and except for an ordained minister or rabbi who gives sacramental wine to an inmate as part of a religious service; or any person who shall combine, confederate, conspire, procure, or procure another or others to give or sell any alcoholic beverages to any inmate of any such State institution or local confinement facility, except for medical purposes as prescribed by a duly licensed physician and except for an ordained minister or rabbi who gives sacramental wine to an inmate as part of a religious service; or any person who shall bring into the buildings, grounds or other facilities of such institution any alcoholic beverages, except for medical purposes as prescribed by a duly licensed physician or sacramental wine brought by an ordained minister or rabbi for use as part of a religious service, shall be guilty of a Class 1 misdemeanor. If such person is an officer or employee of any institution of the State, such person shall be dismissed from office.

§ 14-258.1(c)

Any person who knowingly gives or sells any tobacco products, including vapor products, as defined in G.S. 148-23.1, to an inmate in the custody of the Division of Prisons of the Department of Adult Correction and on the premises of a correctional facility or to an inmate in the custody of a local confinement facility, or any person who knowingly gives or sells any tobacco products, including vapor products, to a person who is not an inmate for delivery to an inmate in the custody of the Division of Prisons of the Department of Adult Correction and on the premises of a correctional facility or to an inmate in the custody of a local confinement facility, other than for authorized religious purposes, is guilty of a Class 1 misdemeanor.

§ 14-258.1(d)**CLASS H FELONY**

Any person who knowingly gives or sells a mobile telephone or other wireless communications device, or a component of one of those devices, to an inmate in the custody of the Division of Prisons of the Department of Adult Correction, to a delinquent juvenile in the custody of the Division of Juvenile Justice of the Department of Public Safety, or to an inmate in the custody of a local confinement facility, or any person who knowingly gives or sells any such device or component to a person who is not an inmate or delinquent juvenile for delivery to an inmate or delinquent juvenile, is guilty of a Class H felony. For purposes of this subsection, a delinquent juvenile in the custody of the Division of Juvenile Justice of the Department of Public Safety shall mean a juvenile confined in a youth development center or a detention facility as defined in G.S. 7B-1501, and shall include transportation of a juvenile to or from confinement.

§ 14-258.1(e) Any inmate of a local confinement facility who possesses any tobacco product, as defined in G.S. 148-23.1, other than for authorized religious purposes, is guilty of a Class 1 misdemeanor.

§ 14-258.1(f) Notwithstanding subsection (c) of this section, local confinement facilities may give or sell vapor products or FDA-approved tobacco cessation products, such as over-the-counter nicotine replacement therapies, including nicotine gum, patches, and lozenges, to inmates while in the custody of the local confinement facility.

§ 14-258.1(g)
CLASS H FELONY

Any inmate in the custody of the Department of Adult Correction or an inmate of a local confinement facility who possesses a mobile telephone or other wireless communication device or a component of one of those devices is guilty of a Class H felony.

§ 14-258.1(h) The prohibitions in subsections (d) and (g) of this section shall not apply to any mobile telephone or other wireless communications device provided to or possessed by an inmate of a facility operated by the Department of Adult Correction or an inmate of a local confinement facility if the mobile telephone or other wireless communications device has been approved by the Department of Adult Correction or the sheriff or other person in charge of a local confinement facility for use by inmates and is provided to the inmate in a manner consistent with the approved use of that device.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
24 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
01	1961	c. 394, s. 2	ENACTED
02	1969	c. 970, s. 6	AMENDED
03	1971	c. 929	AMENDED

04	1973	c. 1093	AMENDED
05	1975	c. 804, ss. 1, 2	AMENDED
06	1979	c. 760, s. 5	AMENDED
07	1979	2nd Sess., c. 1316, s. 47	AMENDED
08	1981	c. 63, s. 1	AMENDED
09	1981	c. 179, s. 14	AMENDED
10	1981	c. 412, s. 4	AMENDED
11	1981	c. 747, s. 66	AMENDED
12	1989	c. 106	AMENDED
13	1993	c. 539, s. 160	AMENDED
14	1994	Ex. Sess., c. 24, s. 14(c)	AMENDED
15	2009	S.L. 2009-560, s. 3	AMENDED
16	2011	S.L. 2011-145, s. 19.1(h)	AMENDED
17	2014	S.L. 2014-3, s. 15.2(b)	AMENDED
18	2014	S.L. 2014-115, s. 23(a)	AMENDED
19	2014	S.L. 2014-119, s. 5(a)	AMENDED
20	2015	S.L. 2015-47, s. 1	AMENDED
21	2017	S.L. 2017-186, s. 2(dd)	AMENDED
22	2020	S.L. 2020-74, s. 26(a)	AMENDED
23	2021	S.L. 2021-180, s. 19C.9(p), (z)	AMENDED
24	2023	S.L. 2023-121, s. 16(a)	AMENDED

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 148-23.1	(c)	"including vapor products, as defined in"
G.S. 7B-1501	(d)	"a detention facility as defined in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 14-258.1 (2023).

PINPOINT

N.C. Gen. Stat. § 14-258.1(a) (2023).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1961, c. 394, s. 2; 1969, c. 970, s. 6; 1971, c. 929; 1973, c. 1093; 1975, c. 804, ss. 1, 2; 1979, c. 760, s. 5; 1979, 2nd Sess., c. 1316, s. 47; 1981, c. 63, s. 1; c. 179, s. 14; c. 412, s. 4; c. 747, s. 66; 1989, c. 106; 1993, c. 539, s. 160; 1994, Ex. Sess., c. 24, s. 14(c); 2009-560, s. 3; 2011-145, s. 19.1(h); 2014-3, s. 15.2(b); 2014-115, s. 23(a); 2014-119, s. 5(a); 2015-47, s. 1; 2017-186, s. 2(dd); 2020-74, s. 26(a); 2021-180, s. 19C.9(p), (z); 2023-121, s. 16(a).)

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