



CHAPTER 15A

ARTICLE 5 - EXPUNCTION OF RECORDS

N.C.G.S. § 15A-151.5.

Prosecutor access to expunged files.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 03:11 UTC	ee2bd666944a6c8af9f7de18 - f14749359e30f952fb45789d - f751ce922a49641e

§ 15A-151.5(a) Notwithstanding any other provision of this Article, the Administrative Office of the Courts shall make all confidential files maintained under G.S. 15A-151 electronically available to all prosecutors of this State.

§ 15A-151.5(b) For any expungement granted on or after July 1, 2018, the record of a criminal conviction expunged under this Article may be considered a prior conviction and used for any of the following purposes:

- (1) To calculate prior record level and prior conviction level if the named person is convicted of a subsequent criminal offense.
- (2) To serve as a basis for indictment for a habitual offense pursuant to G.S. 14-7.1 or G.S. 14-7.26.
- (3) When a conviction of a prior offense raises the offense level of a subsequent offense.
- (4) To determine eligibility for relief under G.S. 90-96(a).
- (5) When permissible in a criminal case under Rule 404(b) or Rule 609 of the North Carolina Rules of Evidence.

§ 15A-151.5(c) For any expungement granted on or after July 1, 2018, the information maintained by the Administrative Office of the Courts, and made available under subsection (a) of this section, is prima facie evidence of the expunged conviction for the purposes provided in subsection (b) of this section and is admissible into evidence. The expungement of

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EVIDENCE

a conviction shall not serve as a basis to challenge a conviction or sentence entered before the expungement of that conviction.

§ 15A-151.5(d) Notwithstanding any other provision of this Article, the Administrative Office of the Courts shall make all records of dismissals pursuant to conditional discharge maintained under G.S. 15A-151 electronically available to all prosecutors of this State. (2017-195, s. 1; 2019-158, s. 4(c); 2020-35, s. 2(a); 2020-69, s. 8(a), (b); 2020-78, s. 10.1(a), (b); 2021-88, s. 3; 2021-118, s. 4; 2024-35, s. 1(c).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
4 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. 15A-151	(a)	"make all confidential files maintained under"
G.S. 14-7.1	(b)(2)	"for a habitual offense pursuant to"
G.S. 14-7.26	(b)(2)	"offense pursuant to G.S. 14-7.1 or"
G.S. 90-96(a)	(b)(4)	"To determine eligibility for relief under"

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 15A-151.5 (2026).

PINPOINT
N.C. Gen. Stat. § 15A-151.5(a) (2026).

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.

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