



CHAPTER 15A
ARTICLE 26 - BAIL

N.C.G.S. § 15A-534.1.

Crimes of domestic violence; bail and pretrial release.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2025-70, s. 17(d) — twelfth act in the lineage	21 September 2026, 03:03 UTC	28b5553624cb2d7db9d4a8c8 - e714fdabd14f8e270ea5b44e - 49cb31b44791f0fd

§ 15A-534.1(a)

In all cases in which the defendant is charged with assault on, stalking, communicating a threat to, or committing a felony provided in Articles 7B, 8, 10, or 15 of Chapter 14 of the General Statutes upon a spouse or former spouse, a person with whom the defendant lives or has lived as if married, or a person with whom the defendant is or has been in a dating relationship as defined in G.S. 50B-1(b)(6), with domestic criminal trespass, with violation of G.S. 14-32.5, or with violation of an order entered pursuant to Chapter 50B, Domestic Violence, of the General Statutes, the judicial official who determines the conditions of pretrial release shall be a judge. The judge shall direct a law enforcement officer or a district attorney to provide a criminal history report for the defendant and shall consider the criminal history when setting conditions of release. After setting conditions of release, the judge shall return the report to the providing agency or department. No judge shall unreasonably delay the determination of conditions of pretrial release for the purpose of reviewing the defendant's criminal history report. The following provisions shall apply in addition to the provisions of G.S. 15A-534:

- (1) Upon a determination by the judge that the immediate release of the defendant will pose a danger of injury to the alleged victim or to any other person or is likely to result in intimidation of the alleged victim and upon a determination that the execution of an appearance bond as required by G.S. 15A-534 will not reasonably assure that such injury or intimidation will not occur, a judge may retain the defendant in custody for a reasonable period of time while determining the conditions of pretrial release.

- (2) A judge may impose the following conditions on pretrial release:
- a. That the defendant stay away from the home, school, business or place of employment of the alleged victim.
 - b. That the defendant refrain from assaulting, beating, molesting, or wounding the alleged victim.
 - c. That the defendant refrain from removing, damaging or injuring specifically identified property.
 - d. That the defendant may visit his or her child or children at times and places provided by the terms of any existing order entered by a judge.
 - e. That the defendant abstain from alcohol consumption, as verified by the use of a continuous alcohol monitoring system, of a type approved by the Division of Community Supervision and Reentry of the Department of Adult Correction, and that any violation of this condition be reported by the monitoring provider to the district attorney.

The conditions set forth above may be imposed in addition to requiring that the defendant execute a secured appearance bond.

- (3) Should the defendant be mentally ill and dangerous to himself or others or a substance abuser and dangerous to himself or others, the provisions of Article 5 of Chapter 122C of the General Statutes shall apply.

§ 15A-534.1(b)

A defendant may be retained in custody not more than 48 hours from the time of arrest without a determination being made under this section by a judge. If a judge has not acted pursuant to this section within 48 hours of arrest, the magistrate shall act under the provisions of this section.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
12 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	1979	c. 561, s. 4	ENACTED
02	1989	c. 290, s. 2	AMENDED
03	1995	c. 527, s. 3	AMENDED
04	2001	S.L. 2001-518, s. 2	AMENDED
05	2007	S.L. 2007-14, s. 1	AMENDED
06	2010	S.L. 2010-135, s. 1	AMENDED
07	2012	S.L. 2012-146, s. 2	AMENDED
08	2015	S.L. 2015-62, s. 4(c)	AMENDED
09	2015	S.L. 2015-181, s. 47	AMENDED
10	2017	S.L. 2017-186, s. 2(xx)	AMENDED
11	2021	S.L. 2021-180, s. 19C.9(t)	AMENDED
12	2025	S.L. 2025-70, s. 17(d)	AMENDED

APPARATUS II
3 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. 50B-1(b)(6)	(a)	"a dating relationship as defined in"
G.S. 14-32.5	(a)	"domestic criminal trespass, with violation of"
G.S. 15A-534	(a)	"in addition to the provisions of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-534.1 (2025).

PINPOINT

N.C. Gen. Stat. § 15A-534.1(a) (2025).

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

(1979, c. 561, s. 4; 1989, c. 290, s. 2; 1995, c. 527, s. 3; 2001-518, s. 2; 2007-14, s. 1; 2010-135, s. 1; 2012-146, s. 2; 2015-62, s. 4(c); 2015-181, s. 47; 2017-186, s. 2(xx); 2021-180, s. 19C.9(t); 2025-70, s. 17(d).)

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