

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 361

Short Title: Protecting First Responders Act. (Public)

Sponsors: Senators Alexander, Britt, and Burgin (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 24, 2025

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PUNISHMENT FOR COMMITTING AN ASSAULT OR AFFRAY AGAINST CERTAIN EMERGENCY RESPONDERS AND TO CRIMINALIZE EXPOSING CERTAIN EMERGENCY RESPONDERS TO FENTANYL OR OTHER HARMFUL DRUG OR CHEMICAL AGENTS AND TO APPROPRIATE NONRECURRING FUNDS TO THE NORTH CAROLINA OFFICE OF EMERGENCY SERVICES TO DISTRIBUTE AS GRANTS TO USE FOR EQUIPMENT TO PROTECT CERTAIN FIRST RESPONDERS.

The General Assembly of North Carolina enacts:

PART I. TITLE

SECTION 1. This act shall be known and may be cited as the "Protecting First Responders Act" or the "PROFR Act."

PART II. CRIMINALIZE EXPOSING CERTAIN EMERGENCY RESPONDERS TO FENTANYL OR OTHER HARMFUL DRUG OR CHEMICAL AGENTS

SECTION 2.(a) G.S. 14-34.6(a) reads as rewritten:

"(a) A person is guilty of a Class ~~I-H~~ felony if the person commits an assault or affray causing physical injury on any of the following persons who are discharging or attempting to discharge their official duties:

(1) An emergency medical ~~technician or other emergency health care provider~~ services personnel, as defined in G.S. 131E-155.

(2) A ~~medical responder~~ member of a rescue squad or EMS service.

(3) Hospital employee, medical practice employee, licensed health care provider, ~~or~~ individual under contract to provide services at a hospital or medical ~~practice~~ practice, or other emergency health care provider not otherwise covered under subdivision (1) of this subsection.

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(5) A firefighter.

(6) Hospital security personnel."

SECTION 2.(b) Article 36 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-286.3. Exposing certain emergency responders to fentanyl or other harmful drug or chemical agent; failure to notify certain emergency responders of presence of fentanyl or other harmful drug or chemical agent.

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



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- (1) Emergency responder. – Any of the following persons who are discharging or attempting to discharge their official duties:
- a. An emergency medical services personnel, as defined in G.S. 131E-155.
- b. A member of a rescue squad or EMS service.
- c. A firefighter.
- d. A law enforcement officer.
- (2) Expose. – Creating a risk of skin contact, inhalation, ingestion, or contact with a needlestick or a mucus membrane, including the mouth, eyes, or nose.
- (b) Exposure. – A person is guilty of a Class H felony if the person unlawfully and intentionally possesses fentanyl or any other harmful drug or chemical agent and exposes an emergency responder to the fentanyl or other harmful drug or chemical agent.
- (c) Exposure Causing Serious Bodily Injury. – A person is guilty of a Class G felony if the person violates subsection (b) of this section and the emergency responder suffers serious bodily injury as a result of the exposure.
- (d) Failure to Notify. – A person is guilty of a Class I felony if the person knows fentanyl or other harmful drugs or chemical agents are unlawfully present at a location an emergency responder is responding to and willfully fails to notify the emergency responder of the presence of the fentanyl or other harmful drug or chemical agent within a reasonable time prior to the emergency responder arriving at the location.
- (e) Separate Offense. – Each violation of this section constitutes a separate offense and shall not merge with any other offense."

SECTION 2.(c) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

PART III. APPROPRIATE FUNDS FOR EQUIPMENT TO PROTECT CERTAIN FIRST RESPONDERS

SECTION 3.(a) There is appropriated from the General Fund to the North Carolina Office of Emergency Medical Services (NCOEMS) the sum of ten million three hundred fifty thousand dollars (\$10,350,000) in nonrecurring funds for the 2025-2026 fiscal year to be distributed as grants, upon application, to first responders for the following purposes:

- (1) Eight million one hundred thousand dollars (\$8,100,000) to be distributed for the purchase of bulletproof vests for paramedics and emergency medical technicians.
- (2) Two million two hundred fifty thousand dollars (\$2,250,000) to be distributed for the purchase of bulletproof backpack plates for paramedics and emergency medical technicians.

SECTION 3.(b) For purposes of this section, the term "first responders" means State and local government agencies and nonprofit corporations providing EMS services through paid or volunteer emergency medical responders, emergency medical technicians, advanced emergency medical technicians, or paramedics who are registered with the NCOEMS.

SECTION 3.(c) Notwithstanding any other provision of law to the contrary, the funds appropriated by this section shall not revert until July 1, 2028.

SECTION 3.(d) This section becomes effective July 1, 2025.

PART IV. EFFECTIVE DATE

SECTION 4. Except as otherwise provided, this act is effective when it becomes law.