

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 92
Committee Substitute Favorable 3/5/25

Short Title: NC Digital Assets Investments Act.

(Public)

Sponsors:

Referred to:

February 12, 2025

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE STATE TREASURER TO INVEST IN QUALIFYING
DIGITAL ASSETS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 6 of Chapter 147 of the General Statutes is amended by adding a new section to read:

"§ 147-69.2E. Investments in digital assets.

(a) The following definitions apply in this section:

(1) Digital asset. – A virtual currency, cryptocurrency, native electronic asset, stablecoin, nonfungible token, or any other asset that is only digital and that confers economic, proprietary, or access rights or powers.

(2) Exchange-traded product. – A security or a security covered under federal law, as defined in G.S. 78A-2, that meets any of the following requirements:

a. The security is listed, or authorized for listing, on the New York Stock Exchange, the American Stock Exchange, or the National Association of Securities Dealers Automated Quotations national market system (NASDAQ), or any successor to these entities.

b. The security is listed, or authorized for listing, on a national securities exchange or system, or on a tier or segment of the exchange or system, designated by the United States Securities and Exchange Commission in 17 C.F.R. § 230.146(b).

c. The security is a security of the same issuer that is equal in seniority to, or that is senior to, a security described in sub-subdivisions a. and b. of this subdivision.

(b) The State Treasurer may invest the cash of the funds described in G.S. 147-69.1(b) and G.S. 147-69.2(a) in digital assets that are in an exchange-traded product.

(c) An investment in digital assets from any of these funds shall not exceed, in the aggregate, ten percent (10%) of the balance of the fund at the time of the investment."

SECTION 2. G.S. 147-69.1 reads as rewritten:

"§ 147-69.1. Investments authorized for General Fund and Highway Funds assets.

(a) The Governor and Council of State, with the advice and assistance of the State Treasurer, shall adopt ~~such rules and regulations as shall be necessary and appropriate to~~ implement the provisions of this section.

(b) This section applies to funds held by the State Treasurer to the credit ~~of~~ of each of the following:

(1) The General ~~Fund~~ Fund.



(2) The Highway Fund and Highway Trust Fund.

(c) ~~It shall be the duty of the~~ The State Treasurer ~~to shall~~ invest the cash of the funds enumerated in subsection (b) of this section in excess of the amount required to meet the current needs and demands on ~~such~~ these funds, selecting from among the following:

...

(11) Digital assets in accordance with G.S. 147-69.2E.

(d) Unless otherwise provided by law, the interest or income received and accruing from all deposits or investments of ~~such~~ the cash balances shall be paid into the State's General Fund, except that all interest or income received and accruing on the monthly balance of the Highway Fund and Highway Trust Fund shall be paid into the State Highway Fund and Highway Trust Fund. The cash balances of the several funds may be combined for deposit or investment purposes; and when ~~such~~ combined deposits or investments are made, the interest or income received and accruing from all deposits or investments shall be prorated among the funds in conformity with applicable ~~law and law~~, including the rules ~~and regulations~~ adopted by the Governor and Council of State.

...."

SECTION 3. G.S. 147-69.2 reads as rewritten:

"§ 147-69.2. Investments authorized for special funds held by State Treasurer.

(a) This section applies to funds held by the State Treasurer to the credit of each of the following:

- (1) The Teachers' and State Employees' Retirement System of North Carolina.
- (2) The Consolidated Judicial Retirement System of North Carolina.
- (3) The State Health Plan for Teachers and State Employees.
- (4) Repealed by Session Laws 2016-55, s. 1.3, effective January 31, 2017.
- (5) The Disability Salary Continuation Income Plan of North Carolina.
- (6) The North Carolina Firefighters' and Rescue Squad Workers' Pension Fund.
- (7) The North Carolina Local Governmental Employees' Retirement System.
- (8) The Legislative Retirement System of North Carolina.
- (9) The Escheat Fund.
- (10) The Legislative Retirement Fund.
- (11) The State Education Assistance Authority.
- (12) The State Property Fire Insurance Fund.
- (13) Repealed by Session Laws 2016-55, s. 1.3, effective January 31, 2017.
- (14) Repealed by Session Laws 2016-55, s. 1.3, effective January 31, 2017.
- (15) The State Public Education Property Insurance Fund.
- (15a) Repealed by Session Laws 2020-69, s. 9(b), effective July 1, 2020.
- (16) The Liability Insurance Trust Fund.
- (16a) The University of North Carolina Hospitals at Chapel Hill funds, except appropriated funds, deposited with the State Treasurer pursuant to G.S. 116-350.40.
- (17) Trust funds of The University of North Carolina and its constituent institutions deposited with the State Treasurer pursuant to G.S. 116-36.1.
- (17a) North Carolina Veterans Home Trust Fund.
- (17b) North Carolina National Guard Pension Fund.
- (17c) Retiree Health Benefit Fund.
- (17d) The Election Fund.
- (17e) The North Carolina State Lottery Fund.
- (17f) Funds deposited with the State Treasurer by public hospitals pursuant to G.S. 159-39(g).
- (17g) Funds deposited with the State Treasurer by Local Government Other Post-Employment Benefits Trusts pursuant to G.S. 159-30.1.

- 1 (17h) The Local Government Law Enforcement Special Separation Allowance
2 Fund.
3 (17i) The North Carolina Conservation Easement Endowment Fund.
4 (17j) The Conservation Grant Fund.
5 (17k) The Wildlife Endowment Fund.
6 (17l) The Ecosystem Restoration Fund.
7 (17m) The Needs-Based Public School Capital Fund.
8 (17n) The Riparian Buffer Restoration Fund.
9 (18) Any other special fund created by or pursuant to law for purposes other than
10 meeting appropriations made pursuant to the Executive Budget Act.
11 (19) The Swain County Settlement Trust Fund.
12 (20) Institutional funds of the colleges of the North Carolina Community College
13 System.
14 (21) The Disability Income Plan of North Carolina.
15 (22) Repealed by Session Laws 2022-74, s. 20.4(b), as amended by Session Laws
16 2023-46, s. 22(a), and as amended by Session Laws 2024-3, s. 9.1(a), effective
17 retroactively to July 1, 2022.
18 (23) The Catawba Unit No. 1 Decommissioning Trust Fund and the Catawba Unit
19 No. 2 Decommissioning Trust Fund established by North Carolina Municipal
20 Power Agency Number 1, as described in G.S. 159B-18(b)(6).
21 (24) Funds deposited with the State Treasurer by charter schools pursuant to
22 G.S. 115C-218.15(f).

23 (b) It shall be the duty of the State Treasurer to invest the cash of the funds enumerated
24 in subsection (a) of this section in excess of the amount required to meet the current needs and
25 demands on these funds. The State Treasurer may invest the funds as provided in this subsection
26 in the manner authorized by subsection (e) of this section. If an investment was authorized by
27 this subsection at the time the investment was made or contractually committed to be made, then
28 that investment shall continue to be authorized by this subsection, and none of the percentage or
29 other limitation on investments set forth in this subsection shall be construed to require the State
30 Treasurer to subsequently dispose of the investment or fail to honor any contractual commitments
31 as a result of changes in market values, ratings, or other investment qualifications. For purposes
32 of computing market values on which percentage limitations on investments in this subsection
33 are based, all investments shall be valued as of the last date of the most recent fiscal quarter.
34 Notwithstanding anything in this section to the contrary, the State Treasurer shall categorize
35 investment management arrangements according to the primary investment type or primary
36 strategy utilized under the arrangement authorized under subsection (e) of this section. No
37 investment management arrangement may be categorized in more than one of the subdivisions
38 of this section. The State Treasurer shall select from among the following investments subject to
39 the following limitations and requirements:

40 ...

41 (13) Digital assets in accordance with G.S. 147-69.2E.

42"

43 **SECTION 4.** This act is effective when it becomes law.