

# North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

July 1, 2016

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## Independence Day

As we wait for the General Assembly to adjourn, we could be tempted to remember a quotation from a very old court case that said,

“No man’s life, liberty or properties are safe while the legislature is in session.”  
1 Tucker 248, N.Y. Surr.18

As tempting as it is to repeat this quotation, the week of Independence Day is a good time for all of us to remember how fortunate we are to live in a country where citizens of our State can govern our affairs through a General Assembly. While observers of the General Assembly might agree that it is not an efficient process, we should all agree that the form of government that we enjoy in the United States of America is undoubtedly the best form of government in the entire world.

So, we should all be thankful for our country’s ancestors who took historic action 240 years ago on July 4, 1776 which resulted in our form of government being the envy of people all around the world.

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## Status of General Assembly Adjournment

As of 4:30 p.m. today, we expect that the General Assembly will adjourn late this evening or sometime on Saturday. Of course, these plans could get derailed and the legislature could decide to return to finish some business next week. At this time, it looks most likely that they will adjourn today or tomorrow.

The Senate has introduced an Adjournment Resolution that specifies an adjournment today (Friday). Introduction of this resolution is their way of telling the House that the Senate is ready to go home. The Senate will send the Adjournment Resolution to the House for consideration. The House may or may not amend it before the two chambers agree on a final date for adjournment.

The Senate approved the State Budget Bill on Tuesday and Wednesday and the House approved the State Budget Bill on Thursday and Friday. This is always their main responsibility before adjournment. This year's legislature will have adopted the budget by July 1st, the beginning of the fiscal year. It will be sent to Governor Pat McCrory for his signature or veto, and most everyone believes that the Governor will sign the bill, probably later today.

If any legislation of importance to the criminal justice community is approved later today or tomorrow, we will publish an additional Weekly Legislative Report next week. If no additional significant legislation is enacted, we will not publish a report next week. Either way, we will publish our annual Final Legislative Report in the next few weeks.

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## BILL STATUS

[HOUSE BILL 100](#), Local Government Immigration Compliance, has passed the Senate, has been returned to the House for consideration of the Senate changes, and has been assigned to the House Committee on Rules, Calendar, and Operations of the House. We have been advised that it will not be considered any further this year.

[HOUSE BILL 151](#), Vacation Rentals/Orange Co. Jail Construction, has been approved by the General Assembly and will be sent to Governor Pat McCrory for his signature.

[HOUSE BILL 169](#), Regulatory Reduction Act of 2016, passed the Senate and was returned to the House for consideration of the Senate changes. The House did not accept the Senate changes, so members from both the House and Senate have been appointed to a committee in an attempt to reach an agreement on the differences in the bill.

[HOUSE BILL 253](#), Justice Reinvestment Act Changes, has passed the Senate Judiciary II Committee with amendments, and has been approved by the General Assembly and sent to Governor Pat McCrory for his signature. This bill was amended to provide that, as a condition of probation, an individual would have to submit to the taking of digitized photographs, including photographs of their face, scars, marks, and tattoos. These photographs would be included in the probationer's records.

This bill also would allow for a probation or parole officer certified by the State to use their current agency photographic identification card in order to be exempt from the pistol purchase permit requirements when purchasing a handgun. Additionally, certified probation and parole officers would be considered members of a North Carolina State law enforcement agency for purposes of receiving badges and service side arms upon retirement, death, or a change of weapons while still active.

[HOUSE BILL 424](#), Prohibit Unlawful Custody Transfer of Child, has passed the Senate Committee on Healthcare and the Senate Judiciary I Committee with amendments, has passed the Senate, has been approved by the General Assembly and sent to Governor Pat McCrory for his signature. This bill was amended to delete the contents of the previous bill and creates a new bill that would prohibit the unlawful transfer of a minor child.

It would be a criminal offense if:

1. A parent effects or attempts to effect an unlawful transfer of custody of that parent's minor child; or

2. Any person accepts or attempts to accept custody pursuant to an unlawful custody transfer. However, it would not be a crime if the person promptly notifies law enforcement or child protective services in the county where the child resides or is found and promptly provides the child to law enforcement or child protective services; or
3. Any person advertises, recruits, solicits, or aids, abets, conspires or seeks the assistance of another to effect the unlawful transfer of a minor.

An “unlawful transfer of custody” would be the transfer of physical custody of a minor child, in willful violation of applicable adoption laws or by grossly negligent omission in the care of the child, by the child's parent, without a court order or other authorization under law, to a person other than a relative or another individual having a substantial relationship with the child. Compensation in the form of money, property, or other item of value would not be required in order for an unlawful transfer of custody to occur.

The penalty for this criminal offense would be a Class A1 misdemeanor, however if the violation results in serious physical injury to the child the penalty would be a Class G felony.

[HOUSE BILL 523](#), Drivers License Designation/American Indian, has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

[HOUSE BILL 550](#), Raleigh Apodaca Service Dog Retirement Act, has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

[HOUSE BILL 593](#), Amend Environmental & Other Laws, has passed the Senate and has been returned to the House for consideration of the Senate changes. The House did not accept the Senate changes, so members from both the House and Senate have been appointed to a committee in an attempt to reach an agreement on the differences in the bill.

[HOUSE BILL 678](#), Amend Innocence Commission Statutes, has passed the Senate Judiciary I Committee with amendments, has passed the Senate, has been approved by the General Assembly and sent to Governor Pat McCrory for his signature. This bill was amended to make a number of changes related to the operation of the Innocence Inquiry Commission (Commission) to include the following:

1. Would define a “formal inquiry” to mean the stage of an investigation when the Commission has entered into a signed agreement with the original claimant and the Commission has made efforts to notify the victim;
2. Would require the Director of the Commission (Director) to report to the Director of the Administrative Office of the Courts;
3. Would clarify that a claim of factual innocence for any conviction may be referred to the Commission by any court, State or local agency, or a claimant’s counsel, whereas a claim of factual innocence for convictions of homicide, robbery, any offense

- requiring registration under the Sex Offender and Public Protection Registration Program, and any Class A through E felony may be made directly by the claimant;
4. Would prohibit the Commission from conducting forensic testing and claimant interviews prior to obtaining a signed agreement from the convicted person;
  5. Would provide that if a formal inquiry regarding a claim of factual innocence is granted, the Commission would notify each codefendant, who would have 60 days from receipt of notice to also file a claim of innocence or their claim may be barred from future investigation by the Commission; and
  6. Would require the Director to provide a confidential case status update at least once every six months for each case under formal inquiry by the Commission to the District Attorney and the convicted person, or his/her counsel, if any.

[HOUSE BILL 747](#), [Youth Access to Kratom/Study Abuse OTC Subs](#), has passed the Senate Judiciary II Committee with amendments, has passed the Senate, and has been returned to the House for consideration of the Senate changes. This bill was amended to provide that any person who sends another person who is less than 18 years old to purchase or receive kratom products or to attempt to do so would be guilty of a Class 2 misdemeanor.

[HOUSE BILL 804](#), [Kelsey Smith Act](#), has passed the Senate Committee on Rules and Operations of the Senate with amendments, was passed by the Senate, and returned to the House for consideration of the Senate changes. The House did not accept the Senate changes, so members from both the House and Senate will be appointed to attempt to reach an agreement on the bill. This bill was amended to authorize a law enforcement agency that has a belief that the user of a telecommunications device is at an imminent risk of death or serious physical harm or is criminally involved in the imminent risk of death or serious physical harm to another to apply for and be issued a call location warrant.

A “call location warrant” would be defined as a warrant that authorizes a law enforcement agency or public safety answering point (PSAP) to obtain call location data from a wireless service provider. A call location warrant could be issued by any person authorized to issue search warrants. An application for a call location warrant must be made in writing under oath and must include information to identify the telecommunications device and user for which the call location data is requested and set out facts establishing probable cause to believe that the user of the device is in imminent risk of death or serious physical harm or is criminally involved in the risk of harm to another. A call location warrant would be valid anywhere in the State for a period of 48 hours from issuance. Electronic or facsimile transmission of the warrant or affidavit would be sufficient proof of the issuance of the warrant.

A law enforcement agency could request an expedited call location warrant by telephone by verbally providing the contents of a warrant application to a superior court judge. If the judge finds that the call location warrant is necessary to prevent the imminent risk of death or serious physical harm, the judge could verbally issue a call location warrant. If an expedited warrant is issued verbally, within 48 hours of issuance, the applicant for the call location warrant would have to file a written application with the clerk of court in the county in which the warrant was issued.

A call location warrant would remain under seal for 30 days from the date it is filed with the clerk of court in the county in which it was issued, unless that period is extended by the superior court upon motion of the law enforcement agency.

[HOUSE BILL 805](#), Measurability Assessments/Budget Tech. Corr., has passed the Senate Committee on Commerce and the Senate Committee on Appropriations/Base Budget with amendments, has been amended by the Senate, and has been approved by the General Assembly. This bill was amended to provide that if House Bill 1030, the 2016 Appropriations Act, becomes law, then the funds appropriated to the Department of Public Safety for the renovation of the National Guard Tarheel Challenge Academy gym on the Salemburg campus will be used for the construction of a new multipurpose facility.

[HOUSE BILL 884](#), Amend Township ABC Elections, has passed the Senate and is scheduled to be considered by the House on Friday, July 1, 2016.

[HOUSE BILL 958](#), Felony Death Imp. Boating/Sheyenne's Law, has been signed into law by Governor Pat McCrory with an effective date of December 1, 2016.

[HOUSE BILL 959](#), DOT Proposed Legislative Changes, has been amended in conference committee, has been approved by the General Assembly, and has been sent to Governor Pat McCrory for his signature. This bill was amended to decrease the minimum age for receiving a commercial permit to operate an unmanned aircraft system from 17 years of age to 16 years of age.

[HOUSE BILL 972](#), Law Enforcement Recordings/No Public Record, was amended in both the House and Senate, has been approved by the General Assembly, and has been sent to Governor Pat McCrory for his signature. This bill was amended to provide for an expedited process for certain persons and entities to seek a court order for the release of a recording. This expedited process would be available to the following:

1. A person whose image or voice is in the recording;
2. A personal representative of an adult person whose image or voice is in the recording, if the adult person has consented to the disclosure;
3. A personal representative of a minor or of an adult person under lawful guardianship whose image or voice is in the recording;
4. A personal representative of a deceased person whose image or voice is in the recording;
5. A personal representative of an adult person who is incapacitated and unable to provide consent to disclosure; or
6. The custodial law enforcement agency.

Any of the above persons or entities would be able to petition the superior court in any county where any portion of the recording was made for an order releasing the recording. There would be no fee for filing the petition. If the petitioner is a person authorized to receive disclosure, notice and an opportunity to be heard would be given to the head of the custodial law enforcement agency. These petitions would be set for hearing as soon as practicable and would be given priority by the court. If the court determines that the person or entity is not authorized to receive disclosure because they are not in one of the six categories described above, there would be no right of appeal and the petitioner would have to file an action for release of the recording in superior court using the process set out in the bill for a person not listed in the above categories to seek a release of the recording.

Additionally, this bill was expanded to authorize governmental and nongovernmental organizations to establish and operate needle and hypodermic syringe exchange programs. A needle and hypodermic syringe exchange program would be required to offer all of the following:

1. Disposal of used needles and hypodermic syringes;
2. Needles, hypodermic syringes, and other injection supplies at no cost and in quantities sufficient to ensure that needles, hypodermic syringes, and other injection supplies are not shared or reused;
3. Reasonable and adequate security of program sites, equipment, and personnel;
4. Educational materials on topics such as overdose prevention and the prevention of HIV, AIDS and viral hepatitis transmission;
5. Access to naloxone kits or referrals to programs that provide such access; and
6. Personal consultations from a program employee or volunteer concerning mental health or addiction treatment for each individual requesting services.

Each needle and hypodermic syringe exchange program would have to prepare written plans for security and these plans would be provided to the police and sheriff's offices with jurisdiction in the program location. Every employee, volunteer, or participant in a needle and hypodermic syringe exchange program would receive immunity from prosecution for possession of needles, hypodermic syringes, other injection supplies, or residual amounts of controlled substances contained in these devices. Law enforcement officers who act in good faith in arresting or charging a person who is thereafter determined to be entitled to immunity from prosecution would receive immunity from civil liability.

[HOUSE BILL 984](#), Transfer of Davie County Correctional Center, has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

[HOUSE BILL 992](#), Amend Industrial Hemp Program, has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

[HOUSE BILL 1021](#), Amend Sex Offender Certain Premises, has been amended by the Senate, has passed the Senate, has been approved by the General Assembly, and has been sent to Governor Pat McCrory for his signature. This bill was amended to also prohibit certain registered sex



offenders from being on the Western North Carolina Agricultural Center grounds during the period of time each year that the North Carolina Mountain State Fair is conducted, and on any other fairgrounds during the period of time that an agricultural fair is conducted. This restriction would apply to those registered sex offenders whose crimes included offenses such as rape or sex offense or whose victims were under the age of 18.

[HOUSE BILL 1030](#), [2016 Appropriations Act](#), has been approved by the General Assembly and will be sent to Governor Pat McCrory for his signature. This bill was amended to provide the details of the State budget bill as agreed upon by the House and Senate in conference committee. The bill includes the following provisions of interest to criminal justice agencies:

1. Would authorize the Division of Motor Vehicles to issue permanent registration plates for certain transit providers that are designated or direct recipients of specific Federal Transit Administration grant funds;
2. Would allocate \$900,000 from the “funds in the Reserve for Repairs and Renovations” for renovations to dormitories at the Eastern campus of the North Carolina Justice Academy located in Salemburg;
3. Would provide \$508,000 for the construction and development of first generation School Risk Management Plans for public schools, fulfilling the initiative of the North Carolina Center for Safer Schools;
4. Would provide funds to equip and operate the new Western Crime Laboratory in Edneyville. Specifically, funds would be provided for an HVAC technician, scientific supplies, increased maintenance and utility costs, and to purchase new equipment for the laboratory;
5. Would allocate \$640,000 in additional funds to meet equipment needs at North Carolina State Crime Laboratory facilities in Raleigh and Greensboro;
6. Would provide additional funds to the State Crime Laboratory (approximately \$2.2 million) for the outsourcing of forensic analysis services, including toxicology and DNA;
7. Would increase permanent full-time State employee salaries by 1.5% and also provide them with a 0.5% one-time bonus;
8. Would provide \$500,000 for salary increases for Alcohol Law Enforcement and State Bureau of Investigation (SBI) agents and would require the Director of the SBI to report to the Joint Legislative Oversight Committee on Justice and Public Safety by September 1, 2016 their plan to adjust the salaries of these agents;
9. Would allocate \$8 million for the purchase of a new airplane for the SBI Airwing;
10. Would provide step increases for eligible employees paid in accordance with a salary step plan, including assistant and deputy clerks, magistrates, and State Highway Patrol troopers;
11. Would provide \$500,000 to the Veterans Leadership Council of North Carolina for the Veterans Life Center;

12. Would provide funding for a legislative liaison position for the SBI;
13. Would allocate \$120,000 to the SBI for Operation Medicine Drop, a program that conducts events for citizens to bring unused or expired medications to a central location for safe disposal;
14. Would provide \$85,000 to Tarheel Challenge Academy in Salemburg for the purchase of new buses and an additional \$700,000 for a gymnasium renovation;
15. Would provide funding for two instructor positions at the North Carolina Justice Academy in Salemburg, a narcotics investigation instructor and a crime scene instructor;
16. Would provide a 4.5% increase in salary for non-step eligible Judicial Branch employees;
17. Would provide funding to create new district court judge positions in District 19A (Cabarrus) and District 27B (Cleveland and Lincoln);
18. Would restore assistant district attorney positions in District 9A (Caswell and Person), District 15B (Orange and Chatham), and District 20B (Union);
19. Would allocate \$250,000 for the digitizing of mental health records to facilitate compliance by clerks of court with the requirements of S.L. 2015-195, Amend Firearms Laws, which requires clerks to submit certain historical records to the National Instant Criminal Background Check System (NICS);
20. Would provide a 1.6% cost of living supplement to retired State employees for one year only;
21. Would direct the Department of Transportation, in collaboration with the Departments of Public Safety and Commerce, to study ways to provide additional off-highway parking and rest areas for tractor trailers and semi-trailers;
22. Would exempt the SBI, the State Highway Patrol, and the Division of Emergency Management located within the Department of Public Safety (DPS) from Department of Information Technology oversight and from Enterprise Active Directory participation;
23. Would require that an applicant for a "school personnel" position associated with a "lab school" would have to undergo a criminal history record check. "School personnel" would consist of a member of the board of trustees or advisory board, an employee of the lab school, or an independent contractor or employee of the independent contractor of the lab school who carries out duties customarily performed by school personnel, has significant access to students, or has responsibility for the fiscal management of the lab school. A "lab school" would be a public school located within a local school administrative unit that has a certain percentage of schools within the unit that have been identified as low-performing schools. The lab school would provide an enhanced education program for students in that unit;
24. Would provide that "lab schools" are encouraged to adopt a School Risk Management Plan (SRMP) and to provide schematic diagrams and keys to the main entrance of the school to local law enforcement agencies. Additionally, the school would be



encouraged to hold a full school wide lockdown exercise with local law enforcement and emergency management agencies that are part of the school's SRMP. The school would be encouraged to provide information from the SRMP and schematic diagrams to the Division of Emergency Management located within DPS;

25. Would expand the definition of "caretaker" under G.S. 7B-101 to include "a potential adoptive parent during a visit or trial placement with a juvenile in the custody of a department;"
26. Would require DPS to report quarterly to the Joint Legislative Oversight Committee on Justice and Public Safety and the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on: a) The volume of emergency and scheduled health care services for adult and juvenile inmates listed by hospital; b) The percentage of those services provided by contracted or non-contracted providers; and c) The status of efforts to address the backlog of unpaid claims;
27. Would clarify that the SBI Director exercises his/her authority independently of the Secretary of DPS;
28. Would require DPS to report quarterly to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on the progress of the State's VIPER system;
29. Would make technical changes to the statutes concerning funding for the Statewide Misdemeanant Confinement Program;
30. Would direct DPS, in consultation with the Department of Administration and the Department of Revenue, to study whether probation and parole officers should be allowed to take their State vehicles home with them, to include the tax implications of allowing them to do so;
31. Would require the Community Corrections Section of DPS to make the Treatment for Effective Community Supervision Program report. Currently the Division of Adult Correction and Juvenile Justice is required to make this report. The report would include information on Recidivism Reduction Services, Community Intervention Centers, Transitional and Temporary Housing, Local Reentry Councils, and Intensive Outpatient Services.

The following types of information, among others, would be reported: the method by which offenders are referred to the program, the target population, the amount of services contracted for and the amount of funding expended in each fiscal year, supervision type, the risk level of offenders served, and the demographics of the population served;

32. Would direct the North Carolina Justice Academy to develop an online training course for law enforcement officers on the use of social media. The course would include methods individual law enforcement officers can take to protect their personal information; and
33. Would provide that the North Carolina Criminal Justice Education and Training Standards Commission's authority to certify, suspend, revoke, or deny the certification of a criminal justice instructor or school director would be expanded to

include instructors and directors of courses required by an agency head, in addition to those courses required by the Commission.

[HOUSE BILL 1044](#), [Law Enforcement Omnibus Bill](#), has passed the Senate Committee on Rules and Operations of the Senate with amendments, has passed the Senate, and has been sent to Governor Pat McCrory for his signature. This bill was amended to delete the provision in the previous edition of this bill which would have expanded the types of crimes for which an investigative grand jury would be able to be convened. Additionally, this bill was amended to delete the provision in the previous edition of the bill that would have allowed the State Highway Patrol to charge a fee for reimbursement of salaries, travel, and other expenses directly related to providing traffic control at non State-supported public events where admission fees are charged.

[HOUSE BILL 1074](#), [Schools/CC Facilities - Test Water for Lead](#), has passed the House with amendments and has been sent to the Senate for their consideration. This bill was amended to allow inspectors, protectors, or other law enforcement officers to inspect commercial fishing equipment or gear without a reasonable suspicion that a violation has been committed. Commercial fishing equipment or gear would consist of all fishing equipment used in coastal fishing waters with some specific exceptions such as cast nets, collapsible crab traps, dip nets, gigs, and hand operated rakes.

The amendment would also make it unlawful to refuse to allow inspectors to inspect marine and estuarine resources.

[HOUSE BILL 1080](#), [Achievement School District](#), has passed the Senate Committee on Education/Higher Education with amendments, has passed the Senate with amendments, has been approved by the General Assembly and sent to Governor Pat McCrory for his signature. This bill was amended to require the State Board of Education to mandate applicants for employment with an “achievement school district” to undergo criminal history record checks processed through the State Bureau of Investigation and would include a check of the State and federal databases of criminal histories. An achievement school district would supervise and operate selected low-performing elementary schools.

[HOUSE BILL 1126](#), [Red Light Cameras/City of Greenville](#), has been ratified into law with various effective dates.

[HOUSE BILL 1144](#), [Support WRC Resolutions/Buncombe ROW Hunting](#), has passed the House Committee on Appropriations, Agriculture and Natural and Economic Resources with amendments. This bill was amended to delete the contents of the previous edition and would provide that it would be a Class 3 misdemeanor to unlawfully hunt or kill any animal with a firearm, bow and arrow, or crossbow, from or across the right-of-way of any State maintained road or highway, or to discharge any firearm, bow and arrow, or crossbow from or across the right-of-way of any State maintained road or highway. This offense would be applicable only to Buncombe County and would be enforceable by law enforcement officers of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by other peace officers with general subject matter jurisdiction.

[SENATE BILL 124](#), Assumed Bus. Name/IC Contempt/Parks, has been approved by the General Assembly and will be sent to Governor Pat McCrory for his signature.

[SENATE BILL 326](#), Local Gov'ts/Bldgs/Structures/Inspections, has passed the House Committee on Rules, Calendar, and Operations of the House with amendments, has passed the House, and has been sent to the Senate for their consideration of the House changes. This bill was amended to delete the contents of the previous bill and creates a new bill that would modify the conditions under which counties and cities would have the authority to inspect buildings or structures in the county or city.

This bill would provide that if a piece of property is identified by the county or the city as being in the top 10% of properties with crime or disorder problems, the county or city would be required to notify the landlord of any crimes, disorders, or other violations that would be counted against the property to allow the landlord an opportunity to attempt to correct the problems. The sheriff's office (if the property is located in the county or if the property is located in the city but the city has no police department) or a city's police department (if the property is located in the city) would be required to assist the landlord in addressing any criminal activity, which would include testifying in court in a summary ejectment action or other matter to aid in evicting a tenant who has been charged with a crime. If the sheriff's office or police department does not cooperate in evicting a tenant, the tenant's behavior or activity would not be counted as a crime or disorder problem and the property would not be included in the top 10% of properties as a result of that tenant's behavior or activity.

[SENATE BILL 349](#), Amd Various Laws/Study Golf Course Tax Policy, has passed the House Committee on Rules, Calendar, and Operations of the House with amendments. This bill was amended to delete the contents of the previous bill and creates a new bill that would amend various laws. Provisions of interest to the criminal justice community include:

1. An applicant for licensure as a pharmacist would be required to obtain his/her own criminal history record reports from one or more reporting services designated by the North Carolina Board of Pharmacy. These applicants would no longer have criminal record checks performed through the State Bureau of Investigation.
2. Applicable only to Buncombe County, it would be a Class 3 misdemeanor to hunt, or attempt to hunt, with a firearm or other deadly weapon from or across the right away of any public road or highway. This law could be enforced by any law enforcement officers of the Wildlife Resource Commission or by any sheriffs or deputy sheriffs or other law enforcement officers with general subject matter jurisdiction.
3. A "provisional" child care provider would be required to undergo a criminal history record check processed through the State Bureau of Investigation and would include a check of the State and federal databases of criminal histories. A provisional childcare provider would mean a person who has been employed as a child care provider whose qualifications are pending.

[SENATE BILL 508](#), Amd. Bail Bond/Coll. Agcy/Crim. Mediat'n Laws, has passed the House Judiciary III Committee with amendments, and has been reassigned to the House Committee on Finance. This bill was amended to make numerous changes to the bail bond laws. Among these changes:

1. The obligations of a surety on a bail bond would end if a defendant is placed on probation pursuant to a deferred prosecution or conditional discharge. The court would be required to modify the conditions of release in this circumstance so that a secured bond would not be required for future appearances.
2. The Commissioner of Insurance would retain enforcement authority over a bail bondsman or runner even when a person's license has been surrendered or has lapsed.
3. Community mediation centers would have 45 days to resolve a criminal case before it proceeds to court. The previous edition of this bill provided that the mediation center had 30 days to resolve a criminal case before it proceeds in court.

[SENATE BILL 770](#), NC Farm Act of 2016, has been approved by the General Assembly and will be sent to Governor Pat McCrory for his signature.

[SENATE BILL 795](#), Clay County Courthouse, has been ratified into law with an effective date of June 27, 2016.

[SENATE BILL 821](#), GSC Technical Corrections 1, has passed the Senate Committee on Rules and Operations of the Senate with amendments, has passed the Senate, and has been sent to the House for consideration of the Senate changes. This bill was amended to delete the provision in its previous edition which stated that the term "anabolic steroid" would not include chorionic gonadotropin when administered by injection for veterinary use upon the order of a licensed veterinarian. Therefore, the term anabolic steroid would include chorionic gonadotropin.

[SENATE BILL 865](#), State Health Plan/Admin Changes/Local Govts, has passed the House Committee on Insurance with amendments, has passed the House, and has been returned to the Senate for consideration of the House changes. This bill was amended to allow local governments to participate in the State Health Plan for Teachers and State Employees (Plan) until the number of local government employees and their dependents enrolled in the Plan reaches 16,000. The previous version of this bill set this limit at 20,000.

This bill was also amended to allow local governments participating in the Plan as of April 1, 2016 to elect to withdraw from participating in the Plan effective January 1, 2017 as long as the notice of withdrawal is given by September 15, 2016, instead of October 1, 2016 as proposed in the previous version of the bill.

[SENATE BILL 883](#), Northampton County/WRC Shooting Ranges, has been ratified into law with an effective date of June 27, 2016.

[SENATE BILL 898](#), 2016 Appointments Bill, has passed the House Committee on Rules, Calendar, and Operations of the House with amendments, has passed the House, and has been sent

to the Senate for consideration of the House changes. This bill would appoint persons to various public offices upon the recommendation of the President Pro Tempore of the Senate and the Speaker of the House of Representatives. Those appointments of interest to the criminal justice community include:

1. Sheriff Ernie L. Coleman of Beaufort County and Benjamin J. Curtis of Rockingham County would be appointed to the Governor's Crime Commission for terms expiring on February 28, 2017.
2. Angela L. Harris of Franklin County, Gregory C. Light of Rockingham County, the Honorable David V. Byrd of Wilkes County, Maureen H. Krueger of Moore County, Johnette R. Smith of Wake County, Michael C. Phillips of Wake County, Mary Catherine Stevens of Surry County, Charles E. Campbell, II, of Moore County, and Julia B. Freeman of Haywood County would be appointed to the Domestic Violence Commission for terms expiring on August 31, 2018.
3. Joshua T. Brown of Durham County and Jeffrey H. Ledford of Cleveland County would be appointed to the 911 Board for terms expiring on December 31, 2020. Charles D. Greene of Forsyth County and Eric S. Cramer of Wake County would be appointed to the 911 Board for terms expiring on December 7, 2020.
4. William M. Bryan of Nash County would be appointed to the Criminal Justice Information Network Governing Board for a term expiring on June 30, 2019, to fill the unexpired term of Norlan Graves. Joel R. Shores of Cleveland County would also be appointed to the Criminal Justice Information Network Governing Board for a term expiring on June 30, 2017, to fill the unexpired term of Robert A. Graves.

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The **Weekly Legislative Report** is provided at no charge as a service to the sheriffs, criminal justice community and citizens of North Carolina.

North Carolina Sheriffs' Association, Inc.

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