

## BILLS FROM THE HOUSE

HOUSE BILL 6, North Carolina Right to Work/Secret Ballot Amendments, would amend the North Carolina Constitution to declare as the public policy of North Carolina that the right of an individual to work will not be denied due to membership or nonmembership in a labor union or association. The bill also makes any agreement or contract between a unit of local or state government and a labor or trade union acting as a bargaining agent illegal and void. Further, the bill provides for the right to vote by secret ballot for employee representation by a labor organization where state or federal law allows. **Introduced by Representatives Tillis, Moffitt and Murry, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 01, 2013

HOUSE BILL 11, Special Election Dates, would require a special election called by a local government or special district to be held at the same time as any other state, county, or municipal general election or at the same time as the primary election in an even-numbered year. The bill would exempt any special election related to public health or safety if the government entity adopts a resolution stating the need for a special election. **Introduced by Representatives Warren, Cleveland and Hager, and referred to the House Committee on Elections.**

Date Prepared: February 01, 2013

This bill has passed the House and been assigned to the Senate Committee on Rules and Operations of the Senate.

Date Prepared: April 05, 2013

HOUSE BILL 12, Increase Retirement Age for Judges, would change the mandatory retirement age for judges and justices of the General Court of Justice from 72 years to 75 years.

**Introduced by Representative Daughtry, and referred to the House Committee on Judiciary Subcommittee A.**

Date Prepared: February 01, 2013

HOUSE BILL 15, Various Emergency Management Changes, would amend various sections of Chapter 20 to allow vehicles operated by the Division of Parks and Recreation of the Department of Environment and Natural Resources or by the NC Forest Service of the Department of Agriculture and Consumer Services to be equipped with and operate with special lights and sirens as currently provided for other local and state emergency vehicles. **Introduced by Representatives Faircloth, Saine and Boles, and referred to the House Committee on Judiciary Subcommittee A.**

Date Prepared: February 01, 2013

This bill has passed the House and has been sent to the Senate for their consideration.

Date Prepared: February 15, 2013

This bill was referred to the Senate Committee on Agriculture/Environment/Natural Resources.

Date Prepared: February 22, 2013

HOUSE BILL 17, Gun Permits Restaurants & Confidentiality, would:

- 1) allow a person with a valid concealed handgun permit to possess a handgun in a restaurant or eating establishment unless the person in legal possession or control of the premises has posted a conspicuous notice prohibiting the possession of a concealed handgun on the premises.
- 2) order that a sheriff maintain as confidential (a) the list of persons who are issued a concealed handgun permit or a gun purchase permit, and (b) the information collected by the sheriff to process an application for a concealed handgun permit or a gun purchase permit except that the sheriff would still have to provide the list to state and local law enforcement officials upon request as the law currently states. The bill also states that the permit information and the list of permit holders will not be considered public record.
- 3) direct the State Bureau of Investigation to make the list of permit holders and the information collected by the sheriff to process an application for a concealed handgun permit or a gun purchase permit available to law enforcement officers statewide but would eliminate the requirement to share that information with clerks of court on a statewide system.
- 4) require a dealer of pistols and other weapons to keep records of sales confidential except upon request by all state and local law enforcement agencies. Further, the records of sales would not be considered a public record.

**Introduced by Representatives Burr, Hager, Hollo and J. Bell, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 01, 2013

This bill was referred to the House Judiciary Subcommittee A.

Date Prepared: March 08, 2013

This bill has been placed on the House calendar for a vote on March 26. This bill is supported by the North Carolina Sheriffs' Association.

Date Prepared: March 22, 2013

HOUSE BILL 19, Respect our Fallen Heroes, would strengthen the law that prohibits disorderly conduct at a funeral, memorial service, or funeral procession by making it disorderly conduct to demonstrate within 500 feet (was 300 feet) of the ceremonial site for any funeral or memorial service two hours (was one hour) before or after, or during the service. The bill would also increase the penalties for a violation of the law with a first offense changing from a Class 2 misdemeanor to a Class 1 misdemeanor, a second offense changing from a Class 1 misdemeanor to a Class I felony, and a third offense changing from a Class I felony to a Class H felony.

**Introduced by Representatives Hastings, Moore, Arp and Szoka, and referred to the House Committee on Judiciary Subcommittee B.**

Date Prepared: February 01, 2013

This bill was approved by House Judiciary Subcommittee B and is scheduled to be considered by the House on Tuesday.

Date Prepared: February 08, 2013

This bill has passed the House and referred to the Senate Judiciary II Committee.

Date Prepared: February 15, 2013

This bill was approved by the House and will be sent to Governor Pat McCrory for his signature.

Date Prepared: March 08, 2013

HOUSE BILL 22, Authorize Various Special Plates, would authorize the Division of Motor Vehicles to produce several new special registration plates. **Introduced by Representatives Warren, Stevens, Torbett and Ford, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 01, 2013

HOUSE BILL 24, Domestic Violence Abuser Treatment Programs/Notifications, would require that the district attorney be notified when a person on either supervised or unsupervised probation has been discharged from a court ordered domestic violence abuser treatment program for willful failure to comply with the terms of the program. **Introduced by Representative Moore, and referred to the House Committee on Judiciary Subcommittee C.**

Date Prepared: February 01, 2013

This bill has passed the House and has been sent to the Senate for their consideration.

Date Prepared: February 15, 2013

This bill has been approved by the House and has been sent to the Senate Judiciary II Committee.

Date Prepared: February 22, 2013

This bill has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 07, 2013

This bill has passed the House and Senate and will next be sent to Governor Pat McCrory for his signature.

Date Prepared: June 14, 2013

HOUSE BILL 25, Amend Felony Breaking or Entering, would add another provision to the statute that addresses the offense of breaking or entering in which any person who breaks or enters any building with the intent to terrorize or injure an occupant of the building is guilty of a Class H felony. **Introduced by Representative Moore, and referred to the House Committee on Judiciary Subcommittee C.**

Date Prepared: February 01, 2013

This bill was approved by House Judiciary Subcommittee C and is scheduled to be considered by the House on Tuesday.

Date Prepared: February 08, 2013

This bill has passed the House and referred to the Senate Judiciary II Committee.

Date Prepared: February 15, 2013

This bill has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 07, 2013

This bill has been signed by Governor Pat McCrory and will be enacted into law effective December 1, 2013. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: June 14, 2013

HOUSE BILL 26, Strengthen Laws Vehicle Theft, would strengthen the laws protecting against "chop shop activity," the theft of vehicles for disassembly and resale of parts, by making it a Class G felony rather than a Class H felony to engage in any of the activities found in the statute associated with chop shop activity. The bill removes the requirement that a person knowingly engaged in the illegal activity, instead making a person guilty if the person knows or has reasonable grounds to believe that there is an illegal component to the activity. Further, the bill would change the law which permits secondary metals recyclers or salvage yards from purchasing a motor vehicle without a certificate of title for scrap or parts from a 10 model years old or older vehicle to a 20 model years old or older vehicle with a violation resulting in a Class I felony. **Introduced by Representative Moore, and referred to the House Committee on Judiciary Subcommittee C.**

Date Prepared: February 01, 2013

This bill has been scheduled for a vote in the House on Monday, May 13.

Date Prepared: May 10, 2013

This bill has been assigned to the Senate Judiciary II Committee.

Date Prepared: May 17, 2013

HOUSE BILL 29, Methamphetamine Offense Penalties, would make it unlawful for a person to possess a pseudoephedrine product if the person has a prior conviction for the possession or manufacture of methamphetamine. It would also enhance the minimum sentence by adding 24 months to the minimum term to which a person is sentenced if a person is convicted of manufacturing methamphetamine where children, the disabled, or the elderly reside on the property or are present at the manufacturing location. **Introduced by Representatives Horn, Faircloth, Tolson and Stevens, and referred to the House Committee on Judiciary Subcommittee C.**

Date Prepared: February 01, 2013

This bill was approved by House Judiciary Subcommittee C and referred to the House Committee on Health and Human Services.

Date Prepared: February 08, 2013

This bill has been approved by the House and has been sent to the Senate Judiciary I Committee for further consideration. **This bill is supported by the North Carolina Sheriffs' Association.**  
Date Prepared: February 22, 2013

This bill has been scheduled by the Senate for a vote on Tuesday, June 11.  
Date Prepared: June 07, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.  
Date Prepared: June 14, 2013

**HOUSE BILL 31, Amend Habitual DWI**, would amend the habitual DWI law to provide that a person also commits habitual impaired driving if the person drives while impaired and has previously been convicted of habitual impaired driving. **Introduced by Representatives Hurlley, Brandon, McNeill and Baskerville, and referred to House Judiciary Subcommittee B.**  
Date Prepared: February 08, 2013

This bill has been approved by the House and has been sent to the Senate Judiciary II Committee. **This bill is supported by the North Carolina Sheriffs' Association.**  
Date Prepared: March 22, 2013

**HOUSE BILL 33, Cleveland/Polk/Rutherford Trapping Repeal**, is identical to Senate Bill 80 summarized in last week's Weekly Legislative Report. **Introduced by Representatives Whitmire, Hager, Moore and Hastings, and referred to the House Committee on Government.**  
Date Prepared: February 22, 2013

**HOUSE BILL 34, Clarify Indecent Exposure Law**, would specify that the term "private parts" in the indecent exposure law also include the nipple of a woman's breast and clarify that the revised statute does not apply during breast feeding. **Introduced by Representatives Brown and Moffitt, and referred to House Judiciary Subcommittee C.**  
Date Prepared: February 08, 2013

This bill was referred to the committee on Rules, Calendar, and Operations of the House.  
Date Prepared: February 15, 2013

This bill has been placed on the House calendar for a vote on February 26.  
Date Prepared: February 22, 2013

This bill eroes, has been approved by the General Assembly and sent to Governor Pat McCrory for his signature. **This bill is supported by the North Carolina Sheriffs' Association.**

**HOUSE BILL 34, Clarify Indecent Exposure Law**, was referred to the House Committee on Rules, Calendar, and Operations of the House.

Date Prepared: March 01, 2013

HOUSE BILL 38, Repeal Second Primaries, would repeal second primaries in all elections within North Carolina. All winners of any primaries would be determined by the highest vote total. **Introduced by Representatives Floyd and Lucas, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 08, 2013

HOUSE BILL 39, Western Crime Lab Funds, would appropriate \$14 million for the construction of a Western Regional Crime Laboratory to be located on the North Carolina Justice Academy's western campus in Edneyville. \$1.9 million would be appropriated to establish 19 positions within the Western Regional Crime Laboratory when construction is completed. **Introduced by Representatives Jackson and Queen, and referred to the House Committee on Appropriations.**

Date Prepared: February 08, 2013

HOUSE BILL 40, Amend Habitual DWI, would amend the current habitual DWI law from three DWI convictions in a 10 year period to two convictions within a 10 year period. **Introduced by Representative Jackson, and referred to House Judiciary Subcommittee A.**

Date Prepared: February 08, 2013

This bill has been placed on the House calendar for a vote on March 19. **This bill is supported by the North Carolina Sheriffs' Association.**

HOUSE BILL 40, Amend Habitual DWI, has been placed on the House calendar for a vote on March 19. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: March 15, 2013

This bill, has been approved by the House and sent to the Senate Judiciary II Committee. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: March 22, 2013

HOUSE BILL 41, 0.00 Alcohol Restriction - All DWI, would restrict anyone with an ignition interlock system or whose driver's license is first restored after a DWI conviction from having any alcohol (0.00 alcohol concentration restriction) in their system while driving. Current law allows for a 0.04 alcohol concentration restriction. **Introduced by Representative Jackson, and referred to House Judiciary Subcommittee A.**

Date Prepared: February 08, 2013

This bill has passed the House and has been sent to the Senate for consideration. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: April 05, 2013

HOUSE BILL 42, New Judge/ADA Wake County, would appropriate funds for an additional district court judge and an additional assistant district attorney in District 10 (Wake County).

**Introduced by Representative Jackson, and referred to the House Committee on Appropriations.**

Date Prepared: February 08, 2013

HOUSE BILL 43, Ignition Interlock - All DWI, would require an ignition interlock device for any DWI conviction, a conviction of driving after consuming alcohol by persons less than 21 years old, and as a result of refusal to submit to a chemical analysis. The bill would also require that any ignition interlock cost be paid by the person who was ordered by the court to have the system installed. The Division of Motor Vehicles would be authorized to assess an administrative fee between \$30 and \$60, to be collected by the vender, 50% of which would be used to offset the administrative cost incurred by the DMV and the remaining 50% would be used for installing and removing an ignition interlock system for persons deemed indigent by the court. The bill also would repeal the requirement that a law enforcement officer or chemical analyst submit an affidavit when a driver has an alcohol concentration of 0.15 or more.

**Introduced by Representative Jackson, and referred to the House Committee on Appropriations.**

Date Prepared: February 08, 2013

HOUSE JOINT RESOLUTION 46, Honor Ed Jones. This bill honors the life of the late Senator Ed Jones. Senator Jones served as a former deputy of the Buncombe County Sheriff's Office, North Carolina State Highway Patrol Trooper, and Chief of Police for the Town of Enfield.

**Introduced by Representative Wray, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 08, 2013

HOUSE BILL 48, Operation of Mopeds, would require mopeds to be registered with the Division of Motor Vehicles and be insured. The bill would also make it unlawful for any person under the age of 17 years old (was 16) who has not completed the graduated drivers license process to operate a moped and would make it unlawful to have any passengers on a moped. Additionally, mopeds would be exempted from safety and emissions inspections under the bill.

**Introduced by Representative Shepard, and referred to the House Committee on Transportation.**

Date Prepared: February 08, 2013

HOUSE BILL 49, Firearm in Locked Motor Vehicle/Parking Lot, would:

- 1) prohibit (with certain exceptions) any business, commercial enterprise, or employer from preventing a person from transporting or storing any firearm or ammunition when the person is in compliance with all other applicable laws and regulations and the firearm or ammunition is locked and out of sight within the trunk, glove box, or other enclosed compartment or area within or on a motor vehicle.
- 2) provide that the term "motor vehicle" means any automobile, truck, minivan, sports utility vehicle, motorcycle, motor scooter, or any other vehicle required to be registered with the Division of Motor Vehicles.

- 3) provide that a person who is injured or the survivors of a person who is killed as a result of a violation of the prohibition above may bring a civil action against the business, commercial enterprise, or employer.
- 4) provide the right to a civil action to enjoin any business, commercial enterprise, or employer from violating this prohibition.
- 5) provide remedies for an employee who is discharged in violation of a policy or rule controlling firearms that is prohibited by this act.
- 6) prohibit any business, commercial enterprise, or employer from being held liable in any civil action for damages, injuries, or death resulting from another person's actions involving a firearm or ammunition transported or stored based on this act.

**Introduced by Representatives Shepard and Cleveland, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 08, 2013

HOUSE BILL 53, NC Right to Work/Secret Ballot Amendments, is almost identical to House Bill 6 of the same title summarized in last week's Weekly Legislative Report. This bill would submit for a vote of the people an amendment to the North Carolina Constitution to declare as the public policy of North Carolina that the right of an individual to work will not be denied due to membership or non-membership in a labor union or association. The bill would also make any agreement or contract between a unit of local or state government and a labor or trade union acting as a bargaining agent illegal and void. Further, the bill would provide for the right to vote by secret ballot for employee representation by a labor organization where state or federal law allows.

Different from the bill summarized in last week's Weekly Legislative Report is the definition of a "labor organization" which is defined as any trade union, labor union, or other labor association and the definition of a "state or local government entity" which entails 1) any agency, department, or institution of the legislative, executive or judicial branches of government, 2) any local political subdivision of the State, and 3) a local board of education or a public institution of higher learning. **Introduced by Representatives Tillis, Moffitt, Murry and Goodman, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 08, 2013

HOUSE BILL 59, Eliminate Safety Inspection/Emission Inspection Required, would do the following:

- 1) eliminate all vehicle safety inspections;
- 2) continue third-party window tinting inspections as part of the emission inspection;
- 3) impose a new \$1 fee on the registration of all passenger vehicles with the funds going to the Highway Fund, Volunteer Rescue/EMS Fund and the Rescue Squad Workers' Relief Fund;
- 4) eliminate the defenses for those charged with improper tires; and
- 5) require various studies and reports on the Motor Vehicle Emissions Inspection program.



**Introduced by Representative Howard, and referred to the House Committee on Transportation.**

Date Prepared: February 08, 2013

HOUSE BILL 63, Support Right to Bear Arms, declares the House of Representative's support of the inalienable right for the people of North Carolina to keep and bear arms and opposes any infringement by the federal government on the state's right to guarantee the protection of the right of the people of North Carolina to keep and bear arms. **Introduced by Representative Speciale, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 22, 2013

HOUSE BILL 65, Restore Partisan Judicial Elections, is identical to Senate Bill 39 and would restore partisan elections for all judges at the appellate and trial court levels. The bill also would require that candidates and nominees for superior court judge reside in the district at the time of their election or nomination. **Introduced by Representatives Iler, Brown, Riddell and Jones, and referred to the House Committee on Elections.**

Date Prepared: February 08, 2013

HOUSE BILL 66, Captivity License and Permit Amendments, clarifies that the Wildlife Resources Commission may issue a captivity permit for the possession of wild animals or wild birds for scientific, educational, or exhibition purposes. **Introduced by Representatives West, Howard, Hager and Moore, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: February 22, 2013

HOUSE BILL 67, Permanent License Plates for Charter Schools, would allow the Division of Motor Vehicles to issue permanent license plates to a nonprofit that operates a charter school. **Introduced by Representatives Jones, Holloway, Conrad and Hardister, and referred to the House Committee on Transportation.**

Date Prepared: February 08, 2013

HOUSE BILL 72, Creedmoor Magistrate Funds, would appropriate \$90,925 each year for 2013-2014 and 2014-2015 for two additional magistrates in Granville County to replace the two magistrate positions that were eliminated last fiscal year. **Introduced by Representative Baskerville, and referred to the House Committee on Government.**

Date Prepared: February 08, 2013

HOUSE BILL 75, Kilah's Law/Increase Child Abuse Penalties, would: 1) raise the penalties for child abuse cases for physical assault, child prostitution and sexual act upon a child from a Class E to a Class D felony; 2) raise the penalty for assault inflicting serious bodily injury on a child from a Class C to a Class B2 felony; and 3) raise the penalty for gross negligence of a child resulting in serious bodily injury from a Class H to a Class G felony. The bill would also require the court to note on the judgment that the offense involved child abuse. **Introduced by**

**Representatives Horn, Stevens, Arp and Glazier, and referred to House Judiciary Subcommittee B.**

Date Prepared: February 08, 2013

This bill has passed the House Judiciary Subcommittee C and was re-referred the House Committee on Appropriations.

Date Prepared: February 22, 2013

This bill has been approved by the House and has been sent to the Senate Committee on Appropriations.

Date Prepared: March 15, 2013

This bill was signed into law by Governor Pat McCrory and will become effective December 1, 2013.

Date Prepared: April 26, 2013

HOUSE BILL 76, Authorize Various Special Plates, would authorize the Division of Motor Vehicles to produce several new special registration plates. **Introduced by Representatives Cotham and Brawley, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 08, 2013

HOUSE BILL 84, Enact Medical Cannabis Act, would provide for broad civil and criminal immunity for a "qualified patient" or a "designated caregiver" for purchasing or possessing cannabis (marijuana) for medical use if the quantity does not exceed an "adequate supply" for the patient as determined by his or her physician.

Law enforcement officers are not to harm or destroy an individual's medical cannabis while the property is in the possession of law enforcement officials as a result of a seizure of the property in connection with the claimed medical use of cannabis pending disposition of the case.

The bill would not allow a person to be in control of a motor vehicle, aircraft, or motorboat while impaired by cannabis; undertake any task under the influence of cannabis that would constitute negligence or malpractice; or smoke cannabis in a school bus or on public transportation, on school grounds, in a correctional facility, or in any public place in the state.

The bill would make it a Class 2 misdemeanor to fraudulently represent to law enforcement any fact relating to medical use of cannabis to avoid arrest or prosecution. The bill allows for DHHS to verify for law enforcement whether a card is valid and to report to law enforcement about falsified or fraudulent information submitted to DHHS.

The Department of Health and Human Services (DHHS) would be required to issue "registry identification cards" to persons who qualify as qualified patients or designated caregivers.

**Introduced by Representatives Alexander and Harrison, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 15, 2013

HOUSE BILL 88, Incapacity to Proceed Amendments, is identical to Senate Bill 45 summarized in last week's Weekly Legislative Report. **Introduced by Representative Hurley, and referred to the House Judiciary Subcommittee B.**

Date Prepared: February 15, 2013

This bill orrections, has passed the House and referred to the Senate Judiciary I Committee. HOUSE BILL 75, Kilah's Law/Increase Child Abuse Penalties, has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

HOUSE BILL 217, Criminal Law/Procedure Amendments, has passed the House and referred the Committee on Rules and Operations of the Senate.

Date Prepared: April 19, 2013

This bill orrections, has passed the House and been referred to the Senate Judiciary I Committee.

HOUSE BILL 217, Criminal Law/Procedure Amendments, has passed the House and been referred to the Committee on Rules and Operations of the Senate.

Date Prepared: April 19, 2013

HOUSE BILL 92, General Statutes Commission Technical Corrections 2013, if enacted would:

- 1) amend the General Statutes to clarify that a person under the age of 18 at the time of a conviction for first-degree murder is to be sentenced to life imprisonment with parole which means the defendant shall serve a minimum of 25 years until eligible for parole; and
- 2) amend the General Statutes to specify that on the Prior Record Level chart, a Class A felony includes life imprisonment with parole or without parole, or death as established by statute (was, without parole or death).

**Introduced by Representative Blust, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: February 15, 2013

HOUSE BILL 95, Immunity/Public Safety Dispatchers, would provide the same immunities from civil liability for 911 or public safety telecommunicators or dispatchers at a primary or secondary public safety answering point (PSAP) that are given to sworn law enforcement officers. This immunity would apply to the performance of any lawful actions taken which are associated with assigned job duties. This bill would also require that any civil claim made as a result of the action or inaction of the telecommunicator or dispatcher be filed within two years of the date of the occurrence or the claim will be forever barred. **Introduced by Representative Torbett, and referred to the House Judiciary Subcommittee A.**

Date Prepared: February 15, 2013

This bill has been approved by the House and has been sent to the Senate Judiciary II Committee.

Date Prepared: March 15, 2013

HOUSE BILL 102, Online Voter Registration, directs the State Board of Elections to develop an online application for voter registration that may be completed online or printed as a blank form. The registration form may then be mailed to the appropriate county board of elections. The bill provides that an individual who meets both of the following requirements: (1) is eligible to register to vote and (2) has a current and valid North Carolina driver's license, learner's permit, or provisional license, or a special identification card for non-operators issued under G.S. 20-37.7, may submit a voter registration application online. **Introduced by Representative Alexander, and referred to the House Committee on Elections.**

Date Prepared: February 22, 2013

HOUSE BILL 108, Rowan Vehicle Personal Use Exemption, would allow a member of the Rowan County Sheriff's Office to use law enforcement vehicles for personal use under certain circumstances. The bill would allow the sheriff to determine, in writing, what circumstances a member of the office may use a vehicle for personal use. The county commissioners would retain the right, by simple majority vote of the Board, to overrule the sheriff. **Introduced by Representatives Warren and Ford, and referred to the House Committee on Finance.**

Date Prepared: February 22, 2013

This bill has passed the House and been referred to the Senate Committee on State and Local Government.

Date Prepared: May 03, 2013

This bill has passed the House and been referred to the Senate Committee on State and Local Government.

Date Prepared: May 03, 2013

HOUSE BILL 109, Require Safety Helmets/18 and Under, would allow a person to operate a motorcycle without wearing a helmet only when the:

- operator is older than 18 years of age.
- operator has more than one year experience operating a motorcycle.
- operator has completed the Motorcycle Safety Instruction Program.
- operator has a motorcycle insurance policy of at least \$10,000 for medical benefits in case of an accident.

The bill also provides that a passenger 18 or older may ride on a motorcycle without a helmet if the operator has met the criteria set above in this paragraph. **Introduced by Representatives Torbett and Speciale, and referred to the House Committee on Transportation.**

Date Prepared: February 22, 2013

This bill has passed the House and been sent to the Senate for consideration.

Date Prepared: May 17, 2013

HOUSE BILL 117, Revise Laws for Unoccupied School Buses, would allow unoccupied school or activity buses to operate at posted speed limits instead of the current limits of 45 mph for occupied or unoccupied school buses and 55 mph for activity buses. The bill would also provide that the drivers of unoccupied buses would not be required to operate warning flashers when traveling on interstate highways. **Introduced by Representatives Brody and Jeter, and referred to the House Committee on Transportation.**

Date Prepared: February 22, 2013

HOUSE BILL 118, Consular Documents Not Acceptable as ID, would enact a new General Statute to declare that documents issued by a consulate or embassy of another country, including the matricula consular, are no longer acceptable to use as an identification card or as an indicator of residency by a justice, judge, clerk, magistrate, law enforcement officer, or other government official.

The bill would prohibit any local government from establishing by policy or ordinance the use of a matricula consular or similar document issued by a consulate or embassy of another country as a form of identification to determine the identity or residency of any person. The bill would also repeal any local government policy or ordinance that contradicts this provision. **Introduced by Representatives Cleveland, Hager, Millis and Szoka, and referred to the House Judiciary Subcommittee C.**

Date Prepared: February 22, 2013

HOUSE BILL 123, Cumberland District Court Judges/Magistrates Funds, would provide funding for two additional district court judges, increasing the number from 10 to 12 and two additional magistrates, increasing the number from 19 to 21, to serve Cumberland County. **Introduced by Representatives Glazier, Szoka, Lucas and Floyd, and referred to the House Committee on Appropriations.**

Date Prepared: February 22, 2013

HOUSE BILL 130, Mental Health Workers' Bill of Rights, would provide for a bill of rights for mental health workers, including the right to a safe workplace, the right to family-supporting wages, and the right to a grievance procedure. **Introduced by Representative Bell, and referred to the House Committee on Health and Human Services.**

Date Prepared: February 22, 2013

HOUSE BILL 137, Reward Amount/Arrest of Fugitive From Justice, would increase the amount of a reward offered by the Governor for information leading to the arrest or apprehension of an individual from not exceeding \$10,000 to not exceeding \$100,000. **Introduced by Representatives Stevens, Faircloth, McNeill and Burr, and referred to the House Committee on Judiciary Subcommittee C.**

Date Prepared: February 22, 2013

This bill was approved by the House Judiciary C Committee and referred to the House Committee on Appropriations.

Date Prepared: March 01, 2013

This bill has passed the House and has been sent to the Senate for consideration.  
Date Prepared: April 12, 2013

HOUSE BILL 141, DACA Beneficiaries/Driver's License Moratorium, would prohibit the issuance of driver's licenses by the Division of Motor Vehicles beginning March 25, 2013 to those applicants who are legally present in North Carolina through the federal Deferred Action for Childhood Arrivals (DACA) initiative. The bill is designed to give the General Assembly time to fully investigate and deliberate on this issue. The act would expire on June 15, 2013.

**Introduced by Representatives Brody, Bell, Lambeth and Millis, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: March 01, 2013

HOUSE BILL 142, Provide Access to Campus Police Records, would govern the custody and disclosure of records maintained by campus police agencies at private colleges and universities. The new law would specify that each campus police agency is the legal custodian of its records and that the records are not public records under the state's Public Records Law. The new law would further specify that the same information that is now a public record and maintained by a public law enforcement agency is to be maintained by campus police agencies and to be available for public inspection, including:

- 1) time, date, location, and nature of a violation of law reported to the agency;
- 2) name, sex, age, address, employment, and alleged violation of a person arrested, charged, or indicted;
- 3) circumstances surrounding an arrest, including time and place, resistance, weapons, or pursuit;
- 4) contents of emergency calls, not including the voice and certain identifying information of the caller;
- 5) contents of communications between employees of the agency broadcast over the public airways;
- 6) name, sex, age, and address of a complaining witness; and
- 7) the agency's daily log of crimes.

Release of this information is subject to restrictions found in the federal Clery Campus Crime Act and the federal Family Educational Rights and Privacy Act that govern campus crime reporting and privacy of education records.

The North Carolina Sheriffs' Association recently filed a friend of the court brief with the Supreme Court of North Carolina in the case of *Ochsner v. Elon University* opposing the expansion of the public record law as it pertains to criminal investigations. **Introduced by Representatives Daughtry and S. Ross, and referred to the House Committee on Education.**

Date Prepared: March 01, 2013

This bill has been approved by the House and has been sent to the Senate Judiciary II Committee.

Date Prepared: March 15, 2013

This bill has been scheduled for a vote in the Senate on Tuesday, June 4.  
Date Prepared: May 31, 2013

This bill has been sent to Governor Pat McCrory for his signature.  
Date Prepared: June 07, 2013

This bill has been signed by Governor Pat McCrory and became effective June 12, 2013.  
Date Prepared: June 14, 2013

HOUSE BILL 149, Caylee's Law/Report Missing Children, would:

- 1) make it a Class I felony for a parent or any other person providing care and supervision of a child (any person less than 16) to knowingly fail to report to law enforcement the disappearance of a child (when the parent or other person supervising the child does not know the whereabouts nor has had contact with the child in 24 hours);
- 2) provide that grossly negligent omission in providing care or supervision of a child includes the failure to report a child as missing as required in the new statute;
- 3) specify that its provisions regarding operators and staff in a child care facility are not amended by proposed GS 14-318.5;
- 4) make it a Class H felony for any person to fail to notify law enforcement of the death of a child, or to secretly bury or otherwise dispose of the body of a child, with the intent to conceal the death of a child;
- 5) make it a Class H felony to provide false reports to law enforcement relating to a law enforcement investigation involving the disappearance of a child or a child victim of a Class A, B1, B2, or C felony offense;
- 6) provide that an institution or a person that suspects abuse, neglect, dependency, or death due to maltreatment of a juvenile and fails to report the case of that juvenile is guilty of a Class 1 misdemeanor; and
- 7) further provide that a social services director who receives a report of sexual abuse in a child care facility and fails to notify the State Bureau of Investigation of the report is guilty of a Class 1 misdemeanor.

**Introduced by Representatives Hastings, Bell, Jordan and Schaffer, and referred to House Judiciary Subcommittee B.**

Date Prepared: March 01, 2013

This bill was approved by the House and will be sent to the Senate for consideration.  
Date Prepared: March 08, 2013

This bill has been approved by the House and has been sent to the Committee on Rules and Operations of the Senate.  
Date Prepared: March 15, 2013

This bill has passed the Senate and been sent back to the House to consider the Senate changes.  
Date Prepared: May 03, 2013

This bill has passed the Senate and been sent back to the House to consider the Senate changes.

Date Prepared: May 03, 2013

This bill has been sent to Governor Pat McCrory for his signature.

Date Prepared: May 10, 2013

HOUSE BILL 158, Plate Background/State Fish Plates, would repeal the requirement that all specialized license plates bear the phrase "First in Flight" and would authorize DMV to issue specialized plates for the Native Brook Trout and Red Drum fish species with each plate bearing a picture of the respective fish in the background. **Introduced by Representatives Queen, Murry, West and Tine, and referred to the House Committee on Transportation.**

Date Prepared: March 01, 2013

HOUSE BILL 161, Mandatory Retirement Age for Magistrates, would establish a mandatory retirement age for magistrates at 72 years of age which is the mandatory retirement age for justices and judges. **Introduced by Representatives Glazier, McGrady and Jordan, and referred to the House Judiciary Subcommittee B.**

Date Prepared: March 01, 2013

This bill was referred to the House Committee on State Personnel.

Date Prepared: March 08, 2013

This bill has been placed on the House calendar for a vote on March 19.

Date Prepared: March 15, 2013

This bill has been approved by the House and sent to the Senate Committee on Pensions, Retirement and Aging.

Date Prepared: March 22, 2013

HOUSE BILL 166, PED Study Occupational Licensing Boards Agency, is identical to Senate Bill 37 summarized in the February 22, 2013 Weekly Legislative Report. **Introduced by Representative Murry, and referred to the House Committee on Finance.**

Date Prepared: March 01, 2013

HOUSE BILL 167, Use of Criminal History Records by Licensing Boards, is identical to Senate Bill 33 summarized in the February 8, 2013 Weekly Legislative Report. **Introduced by Representative Murry, and referred to the House Judiciary Subcommittee A.**

Date Prepared: March 01, 2013

HOUSE BILL 173, Revise Controlled Substances Reporting, would clarify that a licensed veterinarian is not considered a *dispenser* for the purposes of the North Carolina Controlled Substances Reporting System Act.

It would also require dispensers to report required information about prescriptions no later than 24 hours (was seven days) after dispensing the prescription. The bill adds method of payment, specialty of practitioner, and documentation of photographic identification presented by the person seeking the prescription if required, to the list of information required to be reported. It



excludes from reporting instances where a controlled substance is provided directly to the user and the quantity provided does not exceed a 48-hour supply.

House Bill 173 would also give the Department of Health and Human Services (Department) the power to review prescription information data in the NC Controlled Substance Reporting System (System) for the purposes of identifying information that may indicate a person is obtaining prescriptions of controlled substances in a manner consistent with abuse, diversion, or increased risk of harm to the patient. If such information is identified, the Department may notify the prescribing or dispensing practitioners. The Department may also review information in the System that might indicate a breach of professional standards, and notify any agency responsible for licensing, registering, or certifying of the practitioner. **Introduced by Representatives Horn, Brisson, Fulghum and Hollo, and referred to the House Committee on Health and Human Services.**

Date Prepared: March 01, 2013

This bill has passed a second vote in the House, and a third vote is scheduled for Tuesday, April 30. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: April 26, 2013

This bill has passed the House and been referred to the Senate Committee on Health Care. **At the request of the North Carolina Sheriffs' Association,** the bill was amended to remove the section that would require sheriffs and federal and state law enforcement officers to get a duly sworn warrant in order to view pharmacy records related to controlled substances. The amendment leaves the law as it currently exists for accessing pharmacy records. The bill was also amended to include chiefs of police or their designated officer in the provision that will allow sheriffs or their designated officer to access the Controlled Substances Reporting System (CSRS). **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

This bill has passed the House and been referred to the Senate Committee on Health Care. **At the request of the North Carolina Sheriffs' Association,** the bill was amended to remove the section that would require sheriffs and federal and state law enforcement officers to get a duly sworn warrant in order to view pharmacy records related to controlled substances. The amendment leaves the law as it currently exists for accessing pharmacy records. The bill was also amended to include chiefs of police or their designated officer in the provision that will allow sheriffs or their designated officer to access the Controlled Substances Reporting System (CSRS). **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

**HOUSE BILL 183, Allow Hospitals to Test Blood for DWI,** would allow blood or urine analysis by any laboratory employing an analyst that has a permit issued by the Department of Health and Human Services (DHHS). The bill would define laboratory to include a public or private hospital. The bill would remove the statutory requirement that a laboratory must be accredited in conformance with the International Laboratory Accreditation Cooperative (ILAC) Mutual Recognition for Testing. The bill would also add the requirement that an analyst receive a

permit from DHHS. **Introduced by Representatives Moore and Torbett, and referred to the House Judiciary Subcommittee B.**

Date Prepared: March 08, 2013

This bill has been placed on the House calendar for a vote on March 19.

Date Prepared: March 15, 2013

This bill has been approved by the House and sent to the Senate Judiciary II Committee.

Date Prepared: March 22, 2013

HOUSE BILL 184, Allow Drivers Licenses for DACA Beneficiaries, would provide that a person who is a beneficiary of the federal Deferred Action for Childhood Arrivals (DACA) initiative may receive a driver's license of limited duration in spite of the requirement that an applicant for a driver's license present a valid social security number. The bill would prohibit a driver's license of limited duration issued to a beneficiary of the federal DACA initiative from being distinguishable in any manner from any other license issued by the Division of Motor Vehicles. **Introduced by Representatives Luebke, Gill, Glazier and McManus, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: March 08, 2013

HOUSE BILL 185, Ballot Reform Act of 2013, would prohibit straight-party voting in North Carolina by requiring that official election ballots not contain any place that allows a voter with one mark to vote for the candidates of a party for more than one office.

The bill would also modify the order by which candidate names would appear on election ballots. Currently the order is alphabetical by party name and alphabetical by the candidate's last name. The bill would change to listing the major political parties (more than 5% of the registered voters) on the ballots beginning with the party that the Governor was elected as the nominee of, then for other major parties in alphabetical order by party followed by other political parties in alphabetical order by party. Unaffiliated candidates would be listed in alphabetical order, beginning with the letter of the alphabet that the Governor's last name begins with, then returning to the letter A after the letter Z. In the case of a multi-seat race, the names of the candidates of that party would appear in alphabetical order by party beginning with the letter of the alphabet that the Governor's last name begins with, then returning to the letter A after the letter Z.

**Introduced by Representatives Jones, Martin, Conrad and Steinburg, and referred to the House Committee on Elections.**

Date Prepared: March 08, 2013

HOUSE BILL 186, Towns Enforce Ordinances on Lake Norman, would allow the towns of Cornelius, Davidson, Huntersville, Mooresville, and Troutman to enforce their town ordinances on the waters of Lake Norman extending 2,500 feet from the 760 waterline on the shore.

**Introduced by Representative Jeter, and referred to the House Committee on Government.**

Date Prepared: March 08, 2013

HOUSE BILL 187, Private School/Handgun On School Property, would provide that a private school that is funded exclusively with private funds in Forsyth County may adopt a policy

allowing an adult employee who has a valid concealed handgun permit to carry a handgun on the school's educational property in some circumstances. The executive head of the private school may also adopt additional criteria, rules, and conditions in the policy. **Introduced by Representatives Conrad and Lambeth, and referred to the House Committee on Government.**

Date Prepared: March 08, 2013

HOUSE BILL 188, Early Voting on Weekends, would provide for extended one-stop voting times on the weekends leading up to an election and require that one-stop voting must be conducted for at least 6 hours on the last Saturday before an election. **Introduced by Representatives Farmer-Butterfield and Pierce, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: March 08, 2013

HOUSE BILL 199, Increase Jurisdictional Amount/District Court, would provide for the trial of civil actions in which the amount in controversy is \$25,000 or less (was, \$10,000 or less) be in the district court division, and that the superior court division would handle the trial of civil actions in which the amount in controversy is more than \$25,000 (was, exceeds \$10,000). The bill also would provide that for the next two years either the district or superior court could handle civil actions in which the amount exceeds \$10,000 but is not more than \$25,000. **Introduced by Representatives Glazier, McGrady, Stam and Stevens, and referred to the House Judiciary Subcommittee B.**

Date Prepared: March 08, 2013

This bill has been placed on the House calendar for a vote on March 26.

Date Prepared: March 22, 2013

HOUSE BILL 207, Expunction of Drug Offenses, would allow for the expunction of certain drug offenses provided the following:

1. the individual seeking the expunction can provide proof of being “clean” or free from drug addiction and any unlawful use of controlled substances for at least one year prior to filing for the expunction,
2. the individual has no other misdemeanor or felony convictions other than a traffic violation, and
3. the petition for expunction must be filed within 15 years after the date of conviction or when any active sentence, period of probation, or post-release supervision has been served, whichever occurs later.

The bill would also treat convictions for multiple drug offenses as one drug offense for purposes of expunction. **Introduced by Representative Brandon, and referred to the House Judiciary Subcommittee B.**

Date Prepared: March 08, 2013

HOUSE BILL 208, Ban the Box, would make it an unlawful practice for any employer to ask or otherwise seek information from an applicant for employment (including the use of any form,

including an application) about any criminal convictions. The bill would further provide than an employer may ask or seek information about an applicant's criminal record only as follows:

1. after a conditional offer of employment has been made, or
2. where the granting of employment may involve an unreasonable risk to the safety of an individual or to the general public.

The bill would further provide that the NC Commissioner of Labor must define employment categories where past criminal history may involve an unreasonable safety risk and establish factors to be considered in assessing whether an individual's past criminal history poses an unreasonable risk. The bill would also provide that the Commissioner may assess a civil penalty of not more than \$100 for each violation. **Introduced by Representatives Brandon, Pierce and Moore, and referred to the House Committee on Commerce and Job Development.**  
Date Prepared: March 08, 2013

HOUSE BILL 209, Amend Domestic Violence/Civil No-Contact Laws, would allow for a consent protective order in a domestic violence case to be entered without findings of fact and conclusions of law if the parties agree in writing that those items will not be included in the order. The order would be valid and enforceable and have the same force and effect as a domestic violence protective order entered with findings of fact and conclusions of law. House Bill 209 would also allow the court to award attorney's fees to either party as a form of relief in a civil no contact order. **Introduced by Representatives Stevens and Moore, and referred to the House Judiciary Subcommittee C.**

Date Prepared: March 08, 2013

This bill has been approved by the House and sent to the Senate Judiciary II Committee.  
Date Prepared: March 22, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 21, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 28, 2013

HOUSE BILL 217, Criminal Law/Procedure Amendments, would provide that there is an appeal of right to the Court of Appeals from any final judgment of a district court that revokes probation or imposes special probation.

The bill would repeal the existing statutes that provide that the superior court has exclusive jurisdiction over probation revocation hearings for felony cases heard in district court (Classes H and I) and for the felony cases under the supervision of a district court drug treatment court.

The bill would provide that all supervised probation violation hearings would be heard in district court with any appeals going directly to the Court of Appeals.

The bill would repeal the statute that prohibits a judge from imposing a new, more severe sentence when a conviction or sentence is set aside on appeal.

The bill would repeal the statute which currently allows an appeal to superior court (for a new trial) of a district court's imposition of an active sentence or special probation sentence from a probation violation hearing.

The bill would allow numeric results of an alcohol screening test to be admitted in court for reasonable grounds or probable cause determinations in cases of suspected driving while impaired.

The bill would amend the statute on the transfer of juveniles 13 years and older to the superior court for trial as adults to include Class B1 through Class E felonies in addition to the current Class A felony.

The bill would also direct the North Carolina Courts Commission to study:

1. the possibility of six-person juries for misdemeanors,
2. granting magistrates authority to hear all infractions with appellate review by a district court judge,
3. re-designating low-level misdemeanors as infractions, and
4. whether any other actions should be taken to ensure the protection of a defendant's constitutional rights and that the court system is more efficient and cost effective.

The North Carolina Courts Commission would be required to report to the General Assembly by April 1, 2014. **Introduced by Representatives Faircloth and Stam, and referred to the House Judiciary Subcommittee B.**

Date Prepared: March 08, 2013

This bill has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

Date Prepared: April 19, 2013

This bill has passed the House and been referred to the Senate Judiciary II Committee.

Date Prepared: May 10, 2013

HOUSE BILL 219, 1st Degree Murder Appeals/Supreme Court, would grant a right of direct appeal to the Supreme Court of North Carolina for all defendants convicted of first degree murder. Currently, the right of appeal is only for cases in which there is a first degree murder conviction and a death sentence. **Introduced by Representatives Glazier, Stam, Faircloth and Michaux, and referred to the House Judiciary Subcommittee B.**

Date Prepared: March 08, 2013

HOUSE BILL 221, Increase Penalties for Human Trafficking, would increase the criminal penalty for offenses of human trafficking from a Class F to a Class E Felony. The bill would also require that a person convicted of human trafficking, involuntary servitude, sexual servitude or the unlawful sale, surrender or purchase of a minor would have to register as a sex offender.

**Introduced by Representatives Hamilton, Davis, Mobley and Carney, and referred to the House Judiciary Subcommittee B.**

Date Prepared: March 08, 2013

HOUSE BILL 236, Permanent Registration Plates for Authorities, would provide for the issuance of a permanent tag for vehicles owned by a municipal corporation or local board or commission that operates on an area, regional or multi-unit basis. **Introduced by Representative McElraft, and referred to the House Committee on Transportation.**

Date Prepared: March 08, 2013

HOUSE BILL 246, The Gun Rights Amendment, would allow citizens of North Carolina to vote on an amendment to the NC Constitution that would ensure the right of a citizen who holds a valid permit to carry a concealed weapon except in the following:

1. a courthouse,
2. a federal building,
3. on private property which is posted to forbid weapons,
4. on school property for persons not authorized,
5. in law enforcement or correction facilities,
6. while consuming alcohol or a controlled substance unless the controlled substance is for therapeutic purposes, and
7. while under a domestic violence order.

The constitutional amendment would further provide that the state shall never engage in a general confiscation of weapons and shall never cooperate with any effort to do so. **Introduced by Representatives Pittman, Ford, Hardister and Speciale, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: March 08, 2013

HOUSE BILL 251, Pretrial Release/Rebuttable Presumption, would create a rebuttable presumption that no condition of release would assure a person's appearance in court if a judicial official finds that there is reasonable cause to believe that the person committed a felony or Class A1 misdemeanor involving the illegal use, possession, or discharge of a firearm, and the official also finds:

1. the offense was committed while the person was on pretrial release for another felony or Class A1 misdemeanor involving the use, possession, or discharge of a firearm; or,
2. the person was previously convicted of a felony or Class A1 misdemeanor and no more than five years have elapsed since the later of the date of conviction or the person's release for the offense.

**Introduced by Representatives Michaux and Faircloth, and referred to the House Judiciary Committee.**

Date Prepared: March 08, 2013

HOUSE BILL 235, Parent's Consent Required to Quit School, would change the compulsory school attendance age from 16 to 18 but allow a child to drop out of school between the ages of 16 and 18 with the expressed permission of their parent, guardian or custodian. The bill would

also make the necessary changes to the statutes related to undisciplined juveniles. **Introduced by Representatives Lambeth, Whitmire, Brandon and Ramsey, and referred to the House Committee on Education.**

HOUSE BILL 253, Voter Protection and Integrity Act, would provide that a legally-registered voter may certify his or her identity by one of two methods: (1) by signing a voter photo affidavit or by (2) presenting proper photo identification.

The bill would provide that a voter photo affidavit is a photograph taken by a designated election official that is signed by the voter to affirm that the voter is in fact the registered voter in whose name the ballot is requested. The bill would make it a Class I felony under G.S. 163-275(7) to falsely sign the affidavit.

The bill would allow a voter registration card issued by the State Board of Elections or a county board of elections as an acceptable form of identification even though the voter registration card does not contain a picture of the voter. The bill would include various other unexpired identification cards with a picture of the voter such as a driver's license, employee identification card, military ID card, student ID card issued by an accredited university or college in North Carolina, or a US passport.

The bill would also require that in addition to the proof of residence required to register to vote under current law, a voter must either sign a voter photo affidavit or present photo identification.

**Introduced by Representatives Goodman, Lucas, Floyd and Graham, and referred to the House Committee on Elections.**

Date Prepared: March 15, 2013

HOUSE BILL 264, Justice for Rural Citizens Act, would provide that no city, town, village or other political subdivision shall have or exercise any jurisdiction beyond its corporate limits.

**Introduced by Representatives Pittman, Ford, Moffitt and Hardister, and referred to the House Committee on Government.**

Date Prepared: March 15, 2013

HOUSE BILL 281, Record of Excusals From Jury Duty, would require that the name and address of any juror who requests and is granted a deferral, excusal or exemption from jury duty and the reason for the deferral, excusal or exemption shall be retained for two years by the Clerk of Superior Court and be a public record. **Introduced by Representative Cleveland, and referred to the House Judiciary Committee.**

Date Prepared: March 15, 2013

This bill has been scheduled for a vote in the House on Monday, May 13.

Date Prepared: May 10, 2013

This bill has been assigned to the Senate Judiciary II Committee.

Date Prepared: May 17, 2013

HOUSE BILL 287, Increase Dropout Age From 16 to 17, would provide that the compulsory school attendance law would be raised from 16 to 17 years old and also make the necessary

changes to the statutes related to undisciplined juveniles. **Introduced by Representatives Lambeth, Moffitt, Brandon and Ross, and referred to the House Committee on Education.**  
Date Prepared: March 15, 2013

HOUSE BILL 296, Hunter Education/Apprentice Permit, would provide that any person procuring a hunting license in North Carolina must produce a hunter education certificate of competency, a North Carolina hunting heritage apprentice permit from the Wildlife Resources Commission (Commission), or a hunting license issued prior to July 1, 2013, by the Commission.

The bill would provide that any person who obtains a hunting license by a fictitious certificate of competency or through other means of fraud will have his or her hunting privileges revoked by the Commission for a period not to exceed one year.

The bill would also provide for the issuance of a Hunting Heritage Apprentice Permit by the Commission. The permit authorizes a person that does not meet the hunter education course requirements to purchase a hunting license and hunt if accompanied by an adult at least 18 years old who is licensed in North Carolina, or if accompanied by an adult landholder or spouse that is exempt from the hunting license requirement if hunting on the landholder's land. Hunting with a permit issued pursuant to this section but not complying with all the requirements is the same as hunting without valid license. **Introduced by Representatives Bell, Moffitt, Martin and Wray, and referred to the House Committee on Environment.**

Date Prepared: March 15, 2013

This bill has been placed on the House calendar for a vote on April 8.  
Date Prepared: April 05, 2013

HOUSE BILL 299, Law Enforcement Officer Fairness Act, would govern dismissal and grievances of municipal (i.e. city) law enforcement officers. The bill would require each municipality employing law enforcement officers to adopt an ordinance setting out minimum due process rights for dismissals and grievances of law enforcement officers. The bill would require that the ordinance must, at a minimum, specify "just cause" for dismissal; set out procedures for ensuring notice; provide an opportunity for the officer to be heard, represented by counsel, and call witnesses and confront adverse witnesses; allow recording of hearings; and establish an impartial review board.

The bill would not apply to any law enforcement officer employed by state agencies, counties and county police departments, ABC boards, school boards, and private sector and academic institutions or any other law enforcement agency created by the state as a special police agency. **This bill is opposed by the North Carolina Sheriffs' Association. Introduced by Representatives Jeter, Jordan, Glazier and Avila, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: March 15, 2013

HOUSE BILL 300, Cities/Public Trust Rights, would allow a city or town to enact and enforce ordinances to regulate or prevent any unreasonable use of the state's ocean beaches that are



within or adjacent to the jurisdictional boundaries of the city or town. **Introduced by Representative McElraft, and referred to the House Committee on Government.**  
Date Prepared: March 15, 2013

HOUSE BILL 310, Handgun Permit Modernization Act, would provide that the only means of determining the mental health fitness of an applicant for a concealed handgun permit would be through the use of the National Instant Criminal Background Check System. It is unclear if this would limit the mental health information that is currently available through the clerk of superior court.

The bill would prevent the sheriff from requesting from a concealed handgun permit applicant any character affidavits, additional background checks, photographs or other information other than what is specifically provided by statute.

The bill would also provide that an applicant that has been denied a concealed handgun permit by a sheriff may appeal the decision to courts beyond the currently allowed district court.

The bill would also provide that no fees other than those authorized by the statute may be charge to any person for the application, renewal, or duplication of a permit, even for the cost of processing fingerprints and even if costs are incurred by the sheriff. **This bill is opposed by the North Carolina Sheriffs' Association.** **Introduced by Representatives Jordan, Hastings, Brody and Szoka, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: March 15, 2013

HOUSE BILL 312, Preserving Privacy Act of 2013, would provide that it is unlawful for any person or municipal, county, or State law enforcement agency to use a drone for gathering evidence or other information or data pertaining to criminal conduct. A drone is defined as a powered aerial vehicle that does not carry a human, is piloted remotely, and is recoverable. The use of a drone is permissible for purposes other than gathering such evidence. Any information or data acquired through drone use will not be disclosed and will be inadmissible in any criminal, civil, or administrative proceeding.

The bill would provide the following exceptions:

- 1) A municipal, county, or State law enforcement agency using a drone to search pursuant to a search warrant.
- 2) A municipal, county, or State law enforcement agency using a drone to conduct a search where consent to the search has been given.
- 3) A municipal, county, or State law enforcement agency conducting a search if they possess reasonable suspicion that immediate action is needed to prevent imminent harm to life, serious damage to property, the imminent escape of a suspect, or the imminent destruction of evidence. The use of a drone under this subsection would be subject to the following limitations:
  - a) Permitted uses would be subject to the requirements of documenting the search, including factual basis for having reasonable suspicion as well as the factual basis for the other qualifying conditions which allow a drone search.

- b) A sworn statement must be filed, no later than 48 hours after the search is conducted, with the clerk of court in the county where the drone was used.

The bill would limit the scopes of permissible drone searches to only allow the operation of the drone in a manner that collects information or data on the individuals, home, or areas that are the subject of the search or search warrant. Neither facial recognition nor biometric matching technology may be used on any information collected during permissible searches.

The bill would prohibit the retention of data obtained in violation of this section and that any data or information obtained in violation must be destroyed within 24 hours after it is collected.

The bill would provide that any person who violates the restrictions on drone use can be subject to civil action. It would also provide that anyone who willfully and knowingly violates the prohibition on drone use is guilty of a Class 1 misdemeanor and retaining data from a drone search is a Class 3 misdemeanor.

Finally, the bill would provide that beginning April 1, 2014, the AOC will report to the General Assembly the information collected on the identity of the law enforcement agency to which search warrants were issued, the offense specified in the warrant and the nature of the property searched. **Introduced by Representatives Setzer, Moffitt, Hall and Harrison.**

Date Prepared: March 15, 2013

HOUSE BILL 333, Sex Offender Residency/Registration Amendments, would make several clarifying changes to the sex offender registration statute including:

- 1) prohibition of living within 1,000 feet of a school or child care center unless residency was established prior to August 16, 2006;
- 2) clarifies that a sex offender's failure to register with the sheriff in the county in which the sex offender expects to reside upon release from prison is also a violation of the sex offender registration law;
- 3) any law enforcement officer who has knowledge of a violation of the sex offender statutes shall immediately arrest the violator even if the officer is out of their jurisdiction; and
- 4) an individual is subject to the jurisdiction in the county in which the violation occurred and if not arrested in that county shall be transferred back to that county for prosecution.

Introduced by Representatives Warren, Moffitt, Schaffer and Whitmire, and referred to the House Judiciary Subcommittee B.

Date Prepared: March 22, 2013

This bill has passed the House and been referred to the Senate Judiciary II Committee.

Date Prepared: April 19, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 21, 2013

HOUSE BILL 343, Courts/Procedure and Fee Amendments, provides clarifying and technical changes in civil case filings, motions and arbitration. The bill also repeals the exemption for payment of civil filing fees for cities and counties and requires the advancement of all costs and fees. The bill would continue to exempt the payment of civil process fees. The bill also provides for the Administrative Office of the Courts to withhold distribution of facility fees to cities and counties who do not advance these costs and fees. **Introduced by Representative Turner, and referred to the House Judiciary Subcommittee A.**

Date Prepared: March 22, 2013

This bill has been assigned to the Senate Judiciary I Committee.

Date Prepared: May 17, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 28, 2013

HOUSE BILL 344, Uniform Mental Health Reporting Requirements for NICS, would rewrite the existing General Statute that directs the Clerk of Superior Court to report mental health information to the National Instant Criminal Background Check System (NICS) to more closely comply with the federal firearms law (Brady Handgun Violence Protection Act). Specifically, the bill would require the Clerk of Superior Court to input into NICS the following court determinations within 48 hours of receiving the court order with exceptions for weekends and holidays:

- 1) a determination that an individual should be involuntary committed to a facility for in-patient mental health treatment based upon a finding that they are mentally ill and they are a danger to themselves or others;
- 2) a determination that an individual should be involuntary committed to a facility for out-patient mental health treatment based upon a finding that they are mentally ill and in need of treatment to prevent further deterioration that would predictably result in the individual becoming a danger to themselves or others;
- 3) a determination that an individual should be involuntary committed to a facility for substance abuse treatment based upon a finding that they are a danger to themselves or others;
- 4) a finding that an individual is not guilty of a criminal charge by reason of insanity;
- 5) a finding that an individual is not mentally competent to stand trial; and
- 6) a determination to grant a petition to remove the mental health commitment that bars the individual from purchasing or possessing a firearm under state laws.

Current law only provides for the Clerk of Superior Court to input involuntary commitments into NICS within a reasonable period of time. **Introduced by Representatives Insko, Glazier, Luebke and Foushee, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: March 22, 2013

HOUSE BILL 345, Increase Penalties for Misuse of 911 System, would raise the current punishment for an individual knowingly misusing the 911 emergency calling system from a Class 3 to a Class 1 misdemeanor. **Introduced by Representatives Faircloth and McNeill, and referred to the House Judiciary Subcommittee B.**

Date Prepared: March 22, 2013

This bill has passed the House Judiciary Subcommittee B and been referred the House Committee on Public Utilities and Energy.

Date Prepared: May 03, 2013

This bill has passed the House and been sent to the Senate for consideration. **At the request of the North Carolina Sheriffs' Association**, the bill was amended to provide that the appointment of a sheriff to the 911 Board shall come from a recommendation by the North Carolina Sheriffs' Association.

Date Prepared: May 17, 2013

HOUSE BILL 349, Fayetteville/May Disclose Police Complaint, would provide that when there is an appeal of the results of a complaint investigation, the Police Citizen Review Board may ask the Fayetteville city manager or the chief of police to release the disposition of disciplinary charges against a police officer and the facts that were relied upon to arrive at that disposition. **Introduced by Representatives Floyd, Glazier, Lucas and Szoka, and referred to the House Committee on Government.**

Date Prepared: March 22, 2013

This bill has been reassigned to the House Judiciary A Committee.

Date Prepared: May 17, 2013

HOUSE BILL 352, Disapprove Coyote Hunting Rule, would by action of the General Assembly void the coyote hunting rule adopted by the Wildlife Resources Commission. Introduced by Representatives Steinburg and McGrady, and referred to the House Committee on Rules, Calendar, and Operations of the House.

Date Prepared: March 22, 2013

HOUSE BILL 360, Sunday Hunting on Private Land, is identical to Senate Bill 224 which was summarized in the March 8 Weekly Legislative Report. **Introduced by Representatives Brown, Moffitt, Warren and Saine, and referred to the House Committee on Agriculture.**

Date Prepared: March 22, 2013

HOUSE BILL 361, Justice Reinvestment Technical Corrections, would make clarifying and technical changes to the General Statutes regarding supervised probation and the sentencing grid that are needed as a result of the adoption of the Justice Reinvestment Act. Introduced by Representative Faircloth, and referred to the House Judiciary Subcommittee B.

Date Prepared: March 22, 2013

This bill has passed the House Judiciary Subcommittee B and been referred to the House Committee on Appropriations.  
Date Prepared: April 05, 2013

This bill has been scheduled by the House for a vote on Monday, May 6.  
Date Prepared: May 03, 2013

This bill has been referred to the Senate Judiciary I Committee.  
Date Prepared: May 10, 2013

This bill has been sent to Governor Pat McCrory for his signature.  
Date Prepared: June 07, 2013

This bill has been signed by Governor Pat McCrory and will become effective October 1, 2013.  
Date Prepared: June 14, 2013

HOUSE BILL 362, Department of Public Safety Changes, would make clarifying and technical changes to the General Statutes regarding the merged Department of Public Safety and make substantive changes in the statutes to give the Secretary of the Department more organizational latitude and more authority to commit funds in an emergency and in purchasing. **Introduced by Representative Faircloth, and referred to the House Committee on Finance.**  
Date Prepared: March 22, 2013

This bill has passed the House and been sent to the Senate for consideration.  
Date Prepared: May 17, 2013

HOUSE BILL 369, Increased Penalty/Seed Law Violations, would increase the fine for violation of the North Carolina Seed Law from \$500 to up to \$10,000 but the violation would remain a Class 2 misdemeanor. **Introduced by Representatives Waddell, Brody, Langdon and Dixon, and referred to the House Committee on Agriculture.**  
Date Prepared: March 22, 2013

HOUSE BILL 375, Increase Allowed Size of Passenger Buses, would allow the maximum length of passenger buses in the City of Charlotte to increase from up to 45 feet to up to 60 feet but would restrict operation of the longer buses to streets with speed limits of 45 miles per hour or greater. **Introduced by Representatives Jeter, Bryan, Schaffer and Cotham, and referred to the House Committee on Transportation.**  
Date Prepared: March 22, 2013

This bill has passed the House and has been sent to the Senate for consideration.  
Date Prepared: April 12, 2013

HOUSE BILL 382, Pyrotechnics/UNC School of Arts Exception, would allow the University of North Carolina School of the Arts to use pyrotechnics (fireworks) during theater and film

performances. Introduced by Representatives Hanes, Conrad, Terry and Lambeth, and referred to the House Committee on Education.

Date Prepared: March 22, 2013

HOUSE BILL 385, Youth Accountability Task Force, would establish a Youth Accountability Task Force with membership including the Secretaries of the Departments of Public Safety, Health and Human Services, and Administration; the Superintendent of Public Instruction; the division directors of Adult Correction and Juvenile Justice within the Department of Public Safety; the Juvenile Defender from the Office of Indigent Services; a member of the Governor's Crime Commission and a member of the Sentencing and Policy Advisory Commission; three House members and three Senate members; a judge and a district attorney; two court counselors; and a chief of police. The task force is to study the following:

- 1) the education section of the division of juvenile justice to determine the best means for delivering mandated educational services;
- 2) the adequacy of vocational training being provided;
- 3) the adequacy of transitional housing for youth exiting youth development centers;
- 4) the feasibility of providing transitional housing for youth exiting youth development centers with children exiting foster care to independent living;
- 5) the feasibility of expanding the Tarheel Challenge Academy for youth in all juvenile dispositional levels;
- 6) the feasibility of extending tuition waivers for juveniles in youth development centers and on post-release supervision;
- 7) the adequacy of disposition options for status offenders; and
- 8) any other issue deemed important by the commission.

The Task Force is to complete its work and submit its report to the General Assembly in 2014.

**Introduced by Representative Stevens, and referred to the House Judiciary Subcommittee C.**

Date Prepared: March 22, 2013

This bill has been passed by the House Judiciary Subcommittee C and referred to the House Committee on Appropriations.

Date Prepared: April 05, 2013

HOUSE BILL 386, Evidence & DNA Expunction Laws, would change several court and evidence processes including:

- 1) allowing for the destroying of any blood or urine sample after 12 months unless a motion to preserve has been granted;
- 2) provides that laboratory analysis reports shall be entered as evidence, as opposed to may be entered as evidence, if no written objection has been filed;
- 3) provides that chain of custody statements shall be entered as evidence, as opposed to may be entered as evidence, if no written objection has been filed; and
- 4) changes from 30 days to 90 days for the State Bureau of Investigation to verify if a DNA sample is eligible for expunction from the statewide database and to notify the defendant of the result.

Introduced by Representative Stevens, and referred to the House Judiciary Subcommittee C.  
Date Prepared: March 22, 2013

This bill has been placed on the House calendar.  
Date Prepared: April 05, 2013

HOUSE BILL 387, Amend Certain Criminal Provisions, would amend various sections of criminal law and procedure to do the following:

- 1) concealed handgun permit application to be in a form prescribed by the State Bureau of Investigation (SBI) in lieu of the Administrative Office of the Courts and provides that the concealed handgun permit certificate would also be in a form prescribed by the State Bureau of Investigation and not the Administrative Office of the Courts;
- 2) would provide that the Clerk of Superior Court would be responsible for notifying the SBI and the SBI would notify the Federal Bureau of Investigation (FBI) of an order to expunge a record and not the arresting agency;
- 3) adds open burning offenses to the list of offenses the chief district court judges may include as an offense in which a defendant may waive a trial, admit guilt and pay the fees and fines;
- 4) clarifies that in cases involving the expunction of a criminal record for someone who committed the offense prior to turning 18, the petition for the expunction may not be filed until 4 years after the date of conviction (current law) or after the end of all correction supervision including incarceration and post-release supervision; and
- 5) clarifies that in cases involving the expunction of a criminal record for someone who committed the offense and who was over the age of 18, the petition for expunction may not be filed until 15 years after the date of conviction (current law) or after all correction supervision has ended.

Introduced by Representatives Malone and Stevens, and referred to the House Judiciary Subcommittee C.  
Date Prepared: March 22, 2013

This bill has passed the House and has been sent to the Senate for consideration.  
Date Prepared: April 05, 2013

HOUSE BILL 392, Share Arrest Warrant Status/Public Assistance, would provide that the county Department of Social Services (DSS) must conduct a criminal background check on any applicant seeking public benefits. If information of an outstanding warrant is received by DSS then DSS shall, within 24 hours or by the end of the next business day after receiving information, notify a local law enforcement agency in the county where the applicant or recipient is seeking benefits of the existence of the warrant for arrest. The Social Services Commission is directed to adopt rules regarding the sharing of information between local law enforcement and county social services departments. This bill is supported by the North Carolina Sheriffs' Association. Introduced by Representatives Arp, Horn, Starnes and Burr, and referred to the House Committee on Health and Human Services.  
Date Prepared: March 22, 2013

This bill has been placed on the House calendar for a vote on April 9. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: April 05, 2013

This bill has been reassigned to the Senate Judiciary I Committee.

Date Prepared: May 31, 2013

HOUSE BILL 397, Expand District Judge Eligibility, would provide for the citizens of North Carolina to vote on an amendment to the North Carolina Constitution to expand the eligibility for election or appointment to the position of district court judge. Currently, the Constitution provides that an individual must be a licensed attorney. The bill would allow someone who has 10 or more years of experience as a sheriff, clerk of superior court, magistrate or a certified law enforcement officer to be appointed or elected as a district court judge. **Introduced by Representatives Burr, Collins, Stone and Hager, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: March 22, 2013

HOUSE BILL 399, Amend Laws Pertaining to the Department of Health and Human Services, would make clarifying changes to child abuse, neglect and dependency laws including:

- 1) an order placing juveniles in the custody of a county department of social services must contain specific findings as to whether a county of social services has either made reasonable efforts to prevent the need for placement or eliminated the need for place of the juvenile; and
- 2) add a parent committing child sex abuse or being on the sex offender registry as a basis for a court determination for removing a child from their custody.

Introduced by Representatives Burr, Hollo and Avila, and referred to the House Committee on Health and Human Services.

Date Prepared: March 22, 2013

HOUSE BILL 405, Judges and Clerks/Concealed Handgun Permit, has been scheduled by the House for a vote on Monday, May 6.

Date Prepared: May 03, 2013

This bill has been scheduled by the House for a vote on Monday, May 6.

Date Prepared: May 03, 2013

This bill has passed the House and been referred to the Senate Committee on Rules and Operations of the Senate.

Date Prepared: May 10, 2013

HOUSE BILL 452, 2013 School Safety Act, has passed the House Committee on Education and been referred to the House Committee on Appropriations. **This bill is supported by the North Carolina Sheriffs' Association.**



This bill was amended to include the language from House Bill 595, Gold Star Officer Program/School Volunteer and would authorize a sheriff or a chief of police to establish a volunteer school safety resource officer program utilizing nonsalaried special deputies or special law enforcement officers to serve as school safety resource officers in public schools. To be a volunteer in the program, a person must have prior experience as either (i) a sworn law enforcement officer or (ii) as a military police officer with a minimum of two years' service. A program volunteer must also meet the selection standards and any additional criteria established by the sheriff or chief of police.

The amendment would further provide that each volunteer shall report to the sheriff or chief of police and work under their direction and supervision. No volunteer could be assigned to a school until the volunteer has updated or renewed their training and been certified by the North Carolina Sheriffs' Education and Training Standards Commission or the North Carolina Criminal Justice Education and Training Standards Commission as meeting the education and firearms proficiency standards required of persons serving as special deputies or special law enforcement officers. Volunteers would not have to meet the physical standards required by either Commission but must be in good health. Persons serving as a volunteer school safety resource officer would have the power of arrest while performing official duties.

The amendment also provides for an agreement between local school boards and the sheriff or chief of police to provide volunteer school safety resources offices in the schools. **This amendment is opposed by the North Carolina Sheriffs' Association. It is the position of NCSA that only sworn and fully trained deputies or police officers should be allowed to carry guns in schools.**

Date Prepared: April 12, 2013

This bill has passed the House and been sent to the Senate for their consideration.

Date Prepared: April 26, 2013

This bill has been referred to the Senate Committee on Education/Higher Education.

Date Prepared: May 03, 2013

This bill has been referred to the Senate Committee on Education/Higher Education.

Date Prepared: May 03, 2013

HOUSE BILL 458, Omnibus County Legislation, has passed the House Committee on Environment and been referred to the House Committee on Transportation.

Date Prepared: April 26, 2013

HOUSE BILL 465, No Possession of Firearms/Undocumented Aliens, has passed the House Judiciary Subcommittee C and been referred to the House Committee on Appropriations. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

This bill has passed the House Judiciary Subcommittee C and been referred to the House Committee on Appropriations. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

This bill has passed the House and been sent to the Senate for consideration.

Date Prepared: May 17, 2013

**HOUSE BILL 466, Amend Private Protective Services Act/Fees,** has passed the House and been sent to the Senate for consideration.

Date Prepared: April 26, 2013

This bill has been referred to the Senate Judiciary I Committee.

Date Prepared: May 03, 2013

This bill has been referred to the Senate Judiciary I Committee.

Date Prepared: May 03, 2013

**HOUSE BILL 477, Allison's Law/Use of GPS Tracking Device/DVPO,** would add to the existing law on domestic violence protective orders authority for a magistrate or judge to order the tracking of a defendant by way of a Global Positioning Satellite (GPS) device with the cost paid by the defendant. **Introduced by Representatives Lambeth, Ross and Schaffer, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 05, 2013

This bill would add to the existing law on domestic violence protective orders authority for a magistrate or judge to order the tracking of a defendant by way of a Global Positioning Satellite (GPS) device with the cost paid by the defendant. **Introduced by Representatives Lambeth, Ross and Schaffer, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 05, 2013

This bill has been scheduled for a vote in the House on Monday, May 13.

Date Prepared: May 10, 2013

This bill has been assigned to the Senate Judiciary II Committee.

Date Prepared: May 17, 2013

**HOUSE BILL 478, Town of Matthews Special Plate,** would require the Division of Motor Vehicles to issue a special license plate bearing a design selected by the Town of Matthews. **Introduced by Representatives Cotham and Brawley, and referred to the House Committee on Transportation.**

Date Prepared: April 05, 2013

This bill would require the Division of Motor Vehicles to issue a special license plate bearing a design selected by the Town of Matthews. **Introduced by Representatives Cotham and Brawley, and referred to the House Committee on Transportation.**

Date Prepared: April 05, 2013

HOUSE BILL 481, Reduce Needle Stick Injuries, would repeal the law that prohibits the delivery, possession and use of hypodermic needles and related injection paraphernalia used for injecting drugs. **Introduced by Representatives Insko and Harrison, and referred to the House Judiciary Committee.**

Date Prepared: April 05, 2013

This bill would repeal the law that prohibits the delivery, possession and use of hypodermic needles and related injection paraphernalia used for injecting drugs. **Introduced by Representatives Insko and Harrison, and referred to the House Judiciary Committee.**

Date Prepared: April 05, 2013

This bill was withdrawn from the House Judiciary Committee and referred to the Committee on Rules, Calendar, and Operations of the House.

Date Prepared: April 19, 2013

HOUSE BILL 491, School Resource Officers/Lee County, would direct the Sheriff of Lee County to use funding provided by Lee County Schools and the County Commissioners to provide school resource officers for all Lee County Schools. **Introduced by Representative Stone, and referred to the House Committee on Education.**

Date Prepared: April 05, 2013

This bill would direct the Sheriff of Lee County to use funding provided by Lee County Schools and the County Commissioners to provide school resource officers for all Lee County Schools. **Introduced by Representative Stone, and referred to the House Committee on Education.**

Date Prepared: April 05, 2013

This bill has been assigned to the Senate Committee on Rules and Operations of the Senate.

Date Prepared: May 17, 2013

HOUSE BILL 495, Modify NC Human Trafficking Commission Membership, is identical to Senate Bill 453 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Representatives Schaffer and Presnell, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 05, 2013

This bill is identical to Senate Bill 453 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Representatives Schaffer and Presnell, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 05, 2013

HOUSE BILL 497, Distribute Some Criminal Penalties Statewide, would require that the proceeds from court fines and forfeitures from criminal cases disposed in Wake County courts that involve criminal cases committed in multiple counties and that were prosecuted by the Attorney General be distributed to the local school units across the state based upon what portion

of the total is due to each school unit. **Introduced by Representatives Richardson and Turner, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 05, 2013

This bill would require that the proceeds from court fines and forfeitures from criminal cases disposed in Wake County courts that involve criminal cases committed in multiple counties and that were prosecuted by the Attorney General be distributed to the local school units across the state based upon what portion of the total is due to each school unit. **Introduced by Representatives Richardson and Turner, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 05, 2013

HOUSE BILL 499, Increase Fine for Texting While Driving, would increase the fine for a conviction of operating a motor vehicle while texting from \$100 to \$200. **Introduced by Representative Pierce, and referred to the House Judiciary Committee.**

Date Prepared: April 05, 2013

This bill would increase the fine for a conviction of operating a motor vehicle while texting from \$100 to \$200. **Introduced by Representative Pierce, and referred to the House Judiciary Committee.**

Date Prepared: April 05, 2013

HOUSE BILL 502, Transylvania/Polk Magistrate Funds, would provide funding to increase the numbers of magistrates from 3 to 4 in both Transylvania and Polk Counties. **Introduced by Representative Whitmire, and referred to the House Committee on Appropriations.**

Date Prepared: April 05, 2013

This bill would provide funding to increase the numbers of magistrates from 3 to 4 in both Transylvania and Polk Counties. **Introduced by Representative Whitmire, and referred to the House Committee on Appropriations.**

Date Prepared: April 05, 2013

HOUSE BILL 504, Local Electronic Notice, would provide that the counties of Buncombe, Guilford, Henderson, Mecklenburg, Mitchell, Perquimans, Stanly, Surry, and Wake and any municipality within those counties may adopt an ordinance that allows any notice required by law to be published to be published electronically. **Introduced by Representatives McGrady, Stam, Jackson and Hardister, and referred to the House Judiciary Committee.**

Date Prepared: April 05, 2013

This bill would provide that the counties of Buncombe, Guilford, Henderson, Mecklenburg, Mitchell, Perquimans, Stanly, Surry, and Wake and any municipality within those counties may adopt an ordinance that allows any notice required by law to be published to be published electronically. **Introduced by Representatives McGrady, Stam, Jackson and Hardister, and referred to the House Judiciary Committee.**

Date Prepared: April 05, 2013

HOUSE BILL 513, Clarify Dealer Plates Law, would provide that the use of dealer license plates would be restricted to only those dealerships that employ at all times no less than 10 licensed sales staff. **Introduced by Representatives Stone and Torbett, and referred to the House Committee on Transportation.**

Date Prepared: April 05, 2013

This bill would provide that the use of dealer license plates would be restricted to only those dealerships that employ at all times no less than 10 licensed sales staff. **Introduced by Representatives Stone and Torbett, and referred to the House Committee on Transportation.**

Date Prepared: April 05, 2013

HOUSE BILL 517, Rockingham/No Right-of-Way Spotlighting, would make it illegal to intentionally spotlight wildlife from any road right-of-way in Rockingham County. **Introduced by Representatives Jones and Holloway, and referred to the House Committee on Agriculture.**

Date Prepared: April 05, 2013

This bill would make it illegal to intentionally spotlight wildlife from any road right-of-way in Rockingham County. **Introduced by Representatives Jones and Holloway, and referred to the House Committee on Agriculture.**

Date Prepared: April 05, 2013

HOUSE BILL 518, Second Amendment Protection Act, would provide that any personal firearm, firearm accessory or ammunition manufactured wholly in North Carolina and that remains exclusively within the borders of the State is not subject to any federal law, federal taxation or federal regulation. The bill further provides that it would be a Class 1 misdemeanor for any North Carolina or United States public official to enforce or attempt to enforce any order, law, rule or regulation of the federal government that pertains to a personal firearm. **Introduced by Representatives Jones, Holloway, Brown and Millis, and referred to the House Committee on Judiciary.**

Date Prepared: April 05, 2013

This bill would provide that any personal firearm, firearm accessory or ammunition manufactured wholly in North Carolina and that remains exclusively within the borders of the State is not subject to any federal law, federal taxation or federal regulation. The bill further provides that it would be a Class 1 misdemeanor for any North Carolina or United States public official to enforce or attempt to enforce any order, law, rule or regulation of the federal government that pertains to a personal firearm. **Introduced by Representatives Jones, Holloway, Brown and Millis, and referred to the House Committee on Judiciary.**

Date Prepared: April 05, 2013

HOUSE BILL 532, No Drinking in EMS & Law Enforcement Vehicles, would make it unlawful to operate any emergency medical services or law enforcement vehicle with any alcohol remaining in the driver's body. **Introduced by Representatives Elmore, McNeill and Jackson, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 05, 2013

This bill would make it unlawful to operate any emergency medical services or law enforcement vehicle with any alcohol remaining in the driver's body. **Introduced by Representatives Elmore, McNeill and Jackson, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 05, 2013

This bill has been scheduled by the House for a vote on Monday, May 6. **At the request of the North Carolina Sheriffs' Association**, the bill was amended to provide for an exemption for law enforcement officers while performing their official duties, such as undercover operations.

Date Prepared: May 03, 2013

This bill has passed the House and been referred to the Senate Judiciary II Committee.

Date Prepared: May 10, 2013

This bill has been scheduled for a vote in the Senate on Tuesday, June 4.

Date Prepared: May 31, 2013

This bill has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 07, 2013

This bill has been signed by Governor Pat McCrory and will become effective December 1, 2013.

Date Prepared: June 14, 2013

**HOUSE BILL 533, Hospital Police Power in Ashe County**, would create a fourth type of company police entitled Hospital Police that would only apply to Ashe County. The bill provides that Hospital Police would have the same powers as municipal and county police officers to make arrests for both felonies and misdemeanors and to charge for infractions on the property owned by their employer and also on any public road or highway passing through or adjoining the property. The bill would further provide that the hospital administrator could enter into agreements with municipalities to extend the hospital police law enforcement authority into any of the municipality's entire jurisdiction and also the entire county's jurisdiction upon approval of the sheriff. **Introduced by Representative Jordan, and referred to the House Committee on Government.**

Date Prepared: April 05, 2013

This bill would create a fourth type of company police entitled Hospital Police that would only apply to Ashe County. The bill provides that Hospital Police would have the same powers as municipal and county police officers to make arrests for both felonies and misdemeanors and to charge for infractions on the property owned by their employer and also on any public road or highway passing through or adjoining the property. The bill would further provide that the hospital administrator could enter into agreements with municipalities to extend the hospital police law enforcement authority into any of the municipality's entire jurisdiction and also the entire county's jurisdiction upon approval of the sheriff. **Introduced by Representative Jordan, and referred to the House Committee on Government.**

Date Prepared: April 05, 2013

This bill has been scheduled for a vote in the House on Monday, May 13.

Date Prepared: May 10, 2013

This bill has passed the House and been sent to the Senate for consideration. **At the request of the North Carolina Sheriffs' Association**, the bill was amended to clarify that hospital police have authority to use reasonable force and means to keep a person who has been involuntarily committed at the facility where the person is to be detained and pursue the person and return them to the facility if they leave.

Date Prepared: May 17, 2013

This bill has passed the Senate Judiciary II Committee.

Date Prepared: June 14, 2013

This bill has been approved by the General Assembly and enacted to law. This act applies to Ashe, Cumberland, and Wilkes counties only.

Date Prepared: June 21, 2013

HOUSE BILL 535, All Arrestees Fingerprinted/Photographed, would require that all persons arrested or imprisoned for a felony or misdemeanor must be fingerprinted and photographed.

**This bill is supported by the North Carolina Sheriffs' Association. Introduced by Representatives Faircloth, McNeill, Burr and Boles, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 05, 2013

This bill would require that all persons arrested or imprisoned for a felony or misdemeanor must be fingerprinted and photographed. **This bill is supported by the North Carolina Sheriffs' Association. Introduced by Representatives Faircloth, McNeill, Burr and Boles, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 05, 2013

This bill has been reassigned to the House Committee on Appropriations. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 17, 2013

HOUSE BILL 536, Ignition Interlock Required/All DWIs, is identical to Senate Bill 434 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Representatives Faircloth, Jordan and Jackson, and referred to the House Judiciary Committee.**

Date Prepared: April 05, 2013

This bill is identical to Senate Bill 434 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Representatives Faircloth, Jordan and Jackson, and referred to the House Judiciary Committee.**

Date Prepared: April 05, 2013

This bill has been reassigned to the House Committee on Finance.  
Date Prepared: May 17, 2013

This bill has been reassigned to the House Committee on Appropriations.  
Date Prepared: May 31, 2013

HOUSE BILL 542, Charlotte Checkers Special Plate, would require the Division of Motor Vehicles to produce a special plate for the Charlotte Checkers bearing the phrase “GOCHECKERS.COM” and the logo of the Charlotte Checkers. **Introduced by Representatives Carney, Cotham, Earle and Samuelson, and referred to the House Committee on Transportation.**

Date Prepared: April 05, 2013

This bill would require the Division of Motor Vehicles to produce a special plate for the Charlotte Checkers bearing the phrase “GOCHECKERS.COM” and the logo of the Charlotte Checkers. **Introduced by Representatives Carney, Cotham, Earle and Samuelson, and referred to the House Committee on Transportation.**

Date Prepared: April 05, 2013

HOUSE BILL 547, Tax & Regulate Video Sweepstakes, would legalize, tax, and regulate some forms of video sweepstakes but not those which are already considered unlawful under current state law. The state’s current law banning video sweepstakes machines was recently upheld by the Supreme Court of North Carolina.

Under House Bill 547, sweepstakes would be regulated by the Department of Commerce and sweepstakes parlors would pay an annual excise tax of \$2,000 per establishment and \$1,000 per machine. They would also have to pay a 4% gross receipts tax. Local governments would also be allowed to impose limited excise taxes on the machines. **This bill is opposed by the North Carolina Sheriffs’ Association. Introduced by Representatives Wray and Collins, and referred to the House Committee on Commerce and Job Development.**

Date Prepared: April 05, 2013

This bill would legalize, tax, and regulate some forms of video sweepstakes but not those which are already considered unlawful under current state law. The state’s current law banning video sweepstakes machines was recently upheld by the Supreme Court of North Carolina.

Under House Bill 547, sweepstakes would be regulated by the Department of Commerce and sweepstakes parlors would pay an annual excise tax of \$2,000 per establishment and \$1,000 per machine. They would also have to pay a 4% gross receipts tax. Local governments would also be allowed to impose limited excise taxes on the machines. **This bill is opposed by the North Carolina Sheriffs’ Association. Introduced by Representatives Wray and Collins, and referred to the House Committee on Commerce and Job Development.**

Date Prepared: April 05, 2013

HOUSE BILL 550, NCSC Special Plate, would require the Division of Motor Vehicles to produce a special plate for the North Carolina Sportsmen’s Caucus bearing the phrase “NC



Sportsmen's Caucus" and a logo provided by the Congressional Sportsmen's Foundation.  
**Introduced by Representatives Wray and Moffitt, and referred to the House Committee on Transportation.**

Date Prepared: April 05, 2013

This bill would require the Division of Motor Vehicles to produce a special plate for the North Carolina Sportsmen's Caucus bearing the phrase "NC Sportsmen's Caucus" and a logo provided by the Congressional Sportsmen's Foundation. **Introduced by Representatives Wray and Moffitt, and referred to the House Committee on Transportation.**

Date Prepared: April 05, 2013

HOUSE BILL 556, Various Special Plates, would require the Division of Motor Vehicles to issue special plates for the following:

- 1) First Tee and bearing the phrase and logo representing youth golf or First Tee, Inc.;
- 2) Town of Holden Beach and bearing the phrase and logo selected by the Board of Commissioners of the Town of Holden Beach; and
- 3) Volunteers in Law Enforcement and bearing the phrase "Volunteers in Law Enforcement".

**Introduced by Representative Iler, and referred to the House Committee on Transportation.**

Date Prepared: April 05, 2013

This bill would require the Division of Motor Vehicles to issue special plates for the following:

- 4) First Tee and bearing the phrase and logo representing youth golf or First Tee, Inc.;
- 5) Town of Holden Beach and bearing the phrase and logo selected by the Board of Commissioners of the Town of Holden Beach; and
- 6) Volunteers in Law Enforcement and bearing the phrase "Volunteers in Law Enforcement".

**Introduced by Representative Iler, and referred to the House Committee on Transportation.**

Date Prepared: April 05, 2013

HOUSE BILL 585, Prison Rape Elimination Act Compliance, has been scheduled by the House for a vote on Monday, May 6.

Date Prepared: May 03, 2013

This bill has passed the House and been referred to the Senate Judiciary II Committee. **At the request of the North Carolina Sheriffs' Association**, the bill was amended to remove the section relating to county jails.

Date Prepared: May 10, 2013

This bill passed the Senate Judiciary II Committee and has been sent to the Senate Committee on Appropriations/Base Budget. The bill was amended in committee without prior consultation

with the North Carolina Sheriffs' Association and would now make local confinement facilities subject to the federal PREA standards through the minimum standards for local confinement facilities. **This provision is opposed by the North Carolina Sheriffs' Association** because it makes federal incentive-based standards state law. A similar provision was removed from the bill **at the request of the North Carolina Sheriffs' Association** during the vote in the House. **At the request of the North Carolina Sheriffs' Association**, the bill was not scheduled for a vote in the Senate but instead sent to the Senate Committee on Appropriations/Base Budget.  
Date Prepared: June 07, 2013

HOUSE BILL 595, Gold Star Officer Program/School Volunteer, would authorize a sheriff or a chief of police to establish a volunteer school safety resource officer program utilizing non-salaried special deputies or special law enforcement officers to serve as school safety resource officers in public schools. To be a volunteer in the program, a person must have prior experience as either (i) a sworn law enforcement officer or (ii) as a military police officer with a minimum of two years' service. A program volunteer must also meet the selection standards and any additional criteria established by the sheriff or chief of police.

The bill would further provide that each volunteer shall report to the sheriff or chief of police and work under their direction and supervision. No volunteer could be assigned to a school until the volunteer has updated or renewed their training and been certified by the North Carolina Sheriffs' Education and Training Standards Commission or the North Carolina Criminal Justice Education and Training Standards Commission as meeting the education and firearms proficiency standards required of persons serving as special deputies or special law enforcement officers. Volunteers would not have to meet the physical standards required by either Commission but must be in good health. Persons serving as a volunteer school safety resource officer would have the power of arrest while performing official duties.

The bill would provide for an agreement between local school boards and the sheriff or chief of police to provide volunteer school safety resource officers in the schools. **This bill is opposed by the North Carolina Sheriffs' Association.** It is the position of NCSA that only sworn and fully trained deputies or police officers should be allowed to carry guns in schools. **Introduced by Representatives Arp, Horn, Faircloth and Johnson, and referred to the House Committee on Education.**

Date Prepared: April 12, 2013

This bill would authorize a sheriff or a chief of police to establish a volunteer school safety resource officer program utilizing nonsalaried special deputies or special law enforcement officers to serve as school safety resource officers in public schools. To be a volunteer in the program, a person must have prior experience as either (i) a sworn law enforcement officer or (ii) as a military police officer with a minimum of two years' service. A program volunteer must also meet the selection standards and any additional criteria established by the sheriff or chief of police.

The bill would further provide that each volunteer shall report to the sheriff or chief of police and work under their direction and supervision. No volunteer could be assigned to a school until the volunteer has updated or renewed their training and been certified by the North Carolina

Sheriffs' Education and Training Standards Commission or the North Carolina Criminal Justice Education and Training Standards Commission as meeting the education and firearms proficiency standards required of person serving as special deputies or special law enforcement officers. Volunteers would not have to meet the physical standards required by either Commission but must be in good health. Persons serving as a volunteer school safety resource officer shall have the power of arrest while performing official duties.

The bill would provide for an agreement between local school boards and the sheriff or chief of police to provide volunteer school safety resources offices in the schools. **Introduced by Representatives Arp, Horn, Faircloth and Johnson, and referred to the House Committee on Education.**

Date Prepared: April 12, 2013

HOUSE BILL 597, Bail Bondsman Credentials/Official Shield, would authorize the Commissioner of Insurance to issue official credentials to licensed bail bondsmen which would include a picture identification card and an official shield very similar to the shield approved for use by licensed private investigators and bearing the last name and license number of the bail agent. **Introduced by Representatives Malone, Moffitt and Faircloth, and referred to the House Judiciary Subcommittee C.**

Date Prepared: April 12, 2013

This bill would authorize the Commissioner of Insurance to issue official credentials to licensed bail bondsmen which include a picture identification card and an official shield duplicate of that used by licensed private investigators and bearing the last name and license number of the bail agent. **Introduced by Representatives Malone, Moffitt and Faircloth, and referred to the House Committee on Judiciary Subcommittee C.**

Date Prepared: April 12, 2013

This bill has passed the House Judiciary Subcommittee C and been placed on the House calendar for a vote on Monday.

Date Prepared: April 19, 2013

This bill has passed the House and been referred to the Senate Judiciary II Committee.

Date Prepared: April 26, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 21, 2013

HOUSE BILL 600, Concealed Carry/Clerk of Court, would allow an elected clerk of superior court who has a concealed handgun permit to carry a handgun in a courthouse. **Introduced by Representatives Jones and Turner, and referred to the House Judiciary Subcommittee A.**

Date Prepared: April 12, 2013

This bill would exempt an elected clerk of superior court who has a concealed handgun permit from carrying a handgun in a courthouse. **Introduced by Representatives Jones and Turner, and referred to the House Committee on Judiciary Subcommittee A.**

Date Prepared: April 12, 2013

HOUSE BILL 602, Impounding Vehicles with Lapsed/No Insurance, would require that a vehicle operated by a driver who has failed to maintain liability insurance shall be seized by law enforcement and delivered to the sheriff to be held pending the trial of the person. The court would be required to order the sale of a seized vehicle upon the conviction of the person for the cited offense. The procedure for sale of the vehicle would follow the current process in the felony speeding to elude arrest statute. **Introduced by Representative Cleveland, and referred to the House Committee on Transportation.**

Date Prepared: April 12, 2013

This bill would require that a vehicle operated by a driver who has failed to maintain liability insurance shall be seized by law enforcement and delivered to the sheriff to be held pending the trial of the person. The court shall order the sale of a seized vehicle upon the conviction of the person for the cited offense. The procedure for sale of the vehicle follows the current process in the felony speeding to elude arrest statute. **Introduced by Representative Cleveland, and referred to the House Committee on Transportation.**

Date Prepared: April 12, 2013

HOUSE BILL 610, Modify Requirements for In-Stand Beer Sales, would reduce the seating capacity requirements from 60,000 seats to 3,000 seats in ball parks and stadiums and eliminate the municipal population requirement of 450,000 for the sale of and consumption of malt beverages to those seated in the stands during professional sporting events. **Introduced by Representatives Hardister, Samuelson, Hall and Moffitt, and referred to the House Committee on Commerce and Job Development Subcommittee on Alcoholic Beverage Control.**

Date Prepared: April 12, 2013

This bill would reduce the seating capacity requirements from 60,000 seats to 3,000 seats in ball parks and stadiums and eliminate the municipal population requirement 450,000 for the sale of and consumption of malt beverages during professional sporting events. **Introduced by Representatives Hardister, Samuelson, Hall and Moffitt, and referred to the House Committee on Commerce and Job Development Subcommittee on Alcoholic Beverage Control.**

Date Prepared: April 12, 2013

This bill has been scheduled by the House for a vote on Monday, May 6.

Date Prepared: May 03, 2013

This bill has been scheduled by the House for a vote on Monday, May 6.

Date Prepared: May 03, 2013

This bill has passed the House and been referred to the Senate Committee on Commerce.

Date Prepared: May 10, 2013

This bill has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 07, 2013

This bill has been signed by Governor Pat McCrory and will become effective June 12, 2013.

Date Prepared: June 14, 2013

HOUSE BILL 611, Suspension Removed When Eligibility Met, would require the Division of Motor Vehicles to expunge suspensions and revocations entered on a limited permittee or provisional licensee's driving record if the DMV restores a permit or license providing the person has not had a prior expunction. **Introduced by Representative Brawley, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill would require the Division of Motor Vehicles to expunge suspensions and revocations entered on a limited permittee or provisional licensee's driving record if the DMV restores a permit or license providing the person has not had a prior expunction. **Introduced by Representative Brawley, and referred to the House Committee on Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill has passed the House and been referred to the Senate Judiciary II Committee.

Date Prepared: May 10, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 21, 2013

HOUSE BILL 612, Confinement of Animals in Motor Vehicles, would make it unlawful to confine animals in motor vehicles under conditions that are likely to cause suffering, injury or death due to heat, cold, lack of adequate ventilation, lack of food or water or any other endangering conditions. A violation in which the animal suffers no injury would be a Class 2 misdemeanor and a Class 1 misdemeanor if the violation causes serious injury or death or is a second offense. The bill also provides that in order to protect the health of an animal, any animal control officer, law enforcement officer, fire fighter or rescue squad worker who has probable cause to believe a violation has occurred may enter a motor vehicle by any reasonable means. **Introduced by Representatives Harrison, Saine, Brown and Horn, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill would make it unlawful to confine animals in motor vehicles under conditions that are likely to cause suffering, injury or death due to heat, cold, lack of adequate ventilation, lack of food or water or any other endangering conditions. A violation in which the animal suffers no injury is a Class 2 misdemeanor and a Class 1 misdemeanor if the violation causes serious injury or death or is a second offense. The bill also provides that in order to protect the health of an

animal, any animal control officer, law enforcement officer, fire fighter or rescue squad worker who has probable cause to believe a violation has occurred may enter a motor vehicle by any reasonable means. **Introduced by Representatives Harrison, Saine, Brown and Horn, and referred to the House Committee on Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill has passed the House Judiciary Subcommittee B and referred to Committee on Rules, Calendar and Operations of the House.

Date Prepared: May 10, 2013

HOUSE BILL 615, Remove Revocation for DWLR/No PJC, is identical to Senate Bill 585 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representatives Ramsey, Baskerville and Turner, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill is identical to Senate Bill 585 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representatives Ramsey, Baskerville and Turner, and referred to the House Committee on Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill has been scheduled for a vote in the House on Monday, May 13.

Date Prepared: May 10, 2013

This bill has been assigned to the Senate Judiciary II Committee.

Date Prepared: May 17, 2013

HOUSE BILL 618, Amend Firearm Restoration Law, would amend the firearm restoration law by shortening the time period from 20 years to 10 years for a person convicted of a nonviolent felony who has successfully petitioned the courts for restoration of rights of citizenship to restore the person's firearm rights. The bill would also authorize a 10 year restoration waiting period after conviction of a second nonviolent felony for those previously convicted of a nonviolent felony and who had their rights restored. **Introduced by Representatives Speciale and Pittman, and referred to the House Judiciary Committee.**

Date Prepared: April 12, 2013

This bill would amend the firearm restoration law by shortening the time period from 20 years to 10 years for a person convicted of a nonviolent felony who has successfully petitioned the courts for restoration of rights of citizenship to restore the person's firearm rights. The bill would also authorize a 10 year restoration waiting period after conviction of a second nonviolent felony for those previously convicted of a nonviolent felony and who had their rights restored. **Introduced by Representatives Speciale and Pittman, and referred to the House Committee on Judiciary.**

Date Prepared: April 12, 2013

HOUSE BILL 624, Enabling Patriots Act, would authorize persons who have a concealed handgun permit and who are not participating in extracurricular activities to carry a concealed handgun on educational property (any school building, or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by schools excluding any property which is not used primarily for educational purposes). The bill would further authorize and permit on educational property (i) a firearm left out of sight in a locked vehicle in the parking area and (ii) an individual to carry an ordinary pocketknife provided that the pocket knife is not taken out of the pocket except in self-defense or to be used as a tool. **Introduced by Representatives Pittman, Speciale and Ford, and referred to the House Judiciary Committee.**

Date Prepared: April 12, 2013

This bill would authorize persons who have a concealed handgun permit and who are not participating in extracurricular activities to carry a concealed handgun on educational property (any school building, or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by schools excluding any property which is not used primarily for educational purposes). The bill would further authorize and permit on educational property (i) a firearm left out of sight in a locked vehicle in the parking area and (ii) an individual to carry an ordinary pocketknife provide that the pocket knife is not taken out of the pocket except in self-defense or to be used as a tool. **Introduced by Representatives Pittman, Speciale and Ford, and referred to the House Committee on Judiciary.**

Date Prepared: April 12, 2013

HOUSE BILL 626, Promptly Notify Local 911 of Towed Vehicles, would provide that anyone towing a vehicle with a valid registration plate or registration must provide the following information to the local 911 call center prior to moving the vehicle unless the vehicle is impeding traffic and then the tower is to provide the information within 30 minutes of moving the vehicle:

- 1) a description of the vehicle;
- 2) the place from which the vehicle was towed;
- 3) the place where the vehicle will be stored; and
- 4) the contact information for the person from whom the vehicle owner may retrieve the vehicle.

911 call centers would be required to preserve the information provided by the tower for a period of not less than 30 days from the date the information was provided. **Introduced by Representatives Moffitt, Setzer, Torbett and D. Ross, and referred to the House Committee on Transportation.**

Date Prepared: April 12, 2013

This bill would provide that anyone towing a vehicle with a valid registration plate or registration must provide the following information to the local 911 call center prior to moving the vehicle unless the vehicle is impeding traffic and then the tower is to provide the information within 30 minutes of moving the vehicle:

- 1) a description of the vehicle;
- 2) the place from which the vehicle was towed;
- 3) the place where the vehicle will be stored;

4) the contract information for the person from whom the vehicle owner may retrieve the vehicle.

911 call centers shall preserve the information provided by the tower for a period of not less than 30 days from the date the information was provided. **Introduced by Representatives Moffitt, Setzer, Torbett and Ross, and referred to the House Committee on Transportation.**

Date Prepared: April 12, 2013

This bill has been assigned to the Senate Committee on Transportation.

Date Prepared: May 17, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 21, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 28, 2013

HOUSE BILL 633, Various Election Changes, would provide for various changes to the election laws including that primary election results would be based upon a plurality of the votes casted (the individual or individuals having the most votes in the primary election are declared the nominees) and eliminate second primary elections. **Introduced by Representatives Michaux and Glazier, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 12, 2013

This bill would provide for various changes to the election laws including that primary election results would be based upon a plurality of the votes casted (the individual or individuals having the most votes in the primary election are declared the nominees) and eliminate second primary elections. **Introduced by Representatives Michaux and Glazier, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 12, 2013

HOUSE BILL 634, Standardize Emergency Hospital Codes, would require the North Carolina Medical Care Commission to establish standardized hospital emergency codes and standardized response to each of these codes and require hospitals to implement them. The codes would be required to at least address: (i) fire, (ii) bomb threat, (iii) a nuclear, biological or chemical threat, (iv) active shooter, (v) hostage situation, (vi) combative person, (vii) child abduction, (viii) severe weather, (ix) internal disaster, (x) external disaster, (xi) cardiac arrest for an adult, and (xii) cardiac arrest for a child. The codes are to be used in communication with hospital employees and external emergency responders. **Introduced by Representatives Lambeth, Hanes, Jones and Malone, and referred to the House Committee on Health and Human Services.**

Date Prepared: April 12, 2013



This bill would require the North Carolina Medical Care Commission to establish standardized hospital emergency codes and standardized response to each of these codes and require hospitals to implement them. The codes must at least address: (i) fire, (ii) bomb threat, (iii) a nuclear, biological or chemical threat, (iv) active shooter, (v) hostage situation, (vi) combative person, (vii) child abduction, (viii) severe weather, (ix) internal disaster, (x) external disaster, (xi) cardiac arrest for an adult, (xii) cardiac arrest for a child. The codes are to be used in communication with hospital employees and external emergency responders. **Introduced by Representatives Lambeth, Hanes, Jones and Malone, and referred to the House Committee on Health and Human Services.**

Date Prepared: April 12, 2013

HOUSE BILL 635, Involuntary Commitment Custody Orders, is identical to Senate Bill 687 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representatives Lambeth, Conrad, Terry and Hanes, and referred to the House Judiciary Subcommittee C.**

Date Prepared: April 12, 2013

This bill is identical to Senate Bill 687 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representatives Lambeth, Conrad, Terry and Hanes, and referred to the House Committee on Judiciary Subcommittee C.**

Date Prepared: April 12, 2013

This bill has passed the House Judiciary Subcommittee C and has been scheduled for a vote in the House on Tuesday, April 30.

Date Prepared: April 26, 2013

This bill has passed the House and been referred to the Senate Judiciary II Committee. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

This bill has passed the House and been referred to the Senate Judiciary II Committee. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

HOUSE BILL 637, Expunction of Marijuana Offense, would reduce the penalties for possession of varying amounts of marijuana including reducing the penalty for possession of less than an ounce from a Class 1 misdemeanor to an infraction. The bill would further provide that anyone convicted of a Class 3 misdemeanor for possession of marijuana before December 1, 2013 and who has no previous felony or misdemeanor convictions may petition to have the conviction expunged but no earlier than 2 years from the date of conviction or the completion of any period of probation. **Introduced by Representative Alexander, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill would reduce the penalties for possession of a varying amounts of marijuana including reducing the penalty for possession of less than an ounce from a Class 1 misdemeanor to an

infraction. The bill would further provide that anyone convicted of a Class 3 misdemeanor for possession of marijuana before December 1, 2013 and who has no previous felony or misdemeanor convictions may petition to have the convicted expunged but no earlier than 2 years from the date of conviction or the completion of any period of probation. **Introduced by Representative Alexander, and referred to the House Committee on Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

HOUSE BILL 641, Amend Deferred Prosecution/1st Drug Offense, would provide that the court has the discretion to determine whether to defer prosecution for a first offense for misdemeanor possession of a controlled substance. Current law provides that the court shall defer prosecution. **Introduced by Representatives Davis and Daughtry, and referred to the House Judiciary Subcommittee C.**

Date Prepared: April 12, 2013

This bill would provide that the court has the discretion to determine whether to defer prosecution for a first offense for misdemeanor possession of a controlled substance. Current law provides that the court shall defer prosecution. **Introduced by Representatives Davis and Daughtry, and referred to the House Committee on Judiciary Subcommittee C.**

Date Prepared: April 12, 2013

This bill has passed the House Judiciary Subcommittee C and been placed on the House calendar for a vote on Monday.

Date Prepared: April 19, 2013

This bill has passed the House and been referred to the Senate Judiciary II Committee.

Date Prepared: April 26, 2013

This bill has been scheduled for a vote in the Senate on Tuesday, June 4.

Date Prepared: May 31, 2013

This bill has been scheduled for a vote in the Senate on Tuesday, June 11.

Date Prepared: June 07, 2013

This bill has passed the Senate and has been returned to the House for consideration of the Senate changes.

Date Prepared: June 14, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 21, 2013

HOUSE BILL 643, Protect Officers from Retaliation, would enact laws to protect municipal and county law enforcement officers who report improper or unlawful government activity from retaliation. The bill would provide that it is the policy of the State that county and municipal law

enforcement officers shall be encouraged to report to their supervisor or department head evidence of activity that would constitute any of the following:

- 1) a violation of State or federal law, rule or regulation;
- 2) fraud;
- 3) misappropriation of State and local government resources; or
- 4) gross mismanagement, a gross waste of monies or gross abuse of authority.

The bill would further provide for a reporting employee to be protected from retaliation, including discharge, threats or discrimination in compensation, terms, conditions, location or privileges of employment for reporting, preparing to report or the refusal to carry out a directive or order that violates State or federal law, rule or regulation or that poses a substantial and specific danger to public health and safety. **This bill is opposed by the North Carolina Sheriffs' Association.** The protections outlined in this bill are already provided by existing law. **Introduced by Representatives Cotham, Dollar, Collins and Murry, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 12, 2013

This bill would enact laws to protect municipal and county law enforcement officers who report improper or unlawful government activity from retaliation. The bill would provide that it is the policy of the State that county and municipal law enforcement officers shall be encouraged to report to their supervisor or department head evidence of activity that would constitute any of the following:

- 1) a violation of State or federal law, rule or regulation;
- 2) fraud;
- 3) misappropriation of State and local government resources; and
- 4) gross mismanagement, a gross waste of monies or gross abuse of authority.

The bill would further provide for a reporting employee to be protected from retaliation including discharge, threats or discrimination in compensation, terms, conditions, location or privileges of employment for reporting, preparing to report or the refusal to carry out a directive or order that violates State or federal law, rule or regulation or that poses a substantial and specific danger to public health and safety. **This bill is opposed by the North Carolina Sheriffs Association.** **Introduced by Representatives Cotham, Dollar, Collins and Murry, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 12, 2013

This bill **After considerable opposition and effort by the North Carolina Sheriffs' Association and the North Carolina Association of Chiefs of Police, the bill failed to pass the House.** However, that vote was reconsidered, and the bill was reassigned to the House Committee on Rules, Calendar and Operations of the House.

Date Prepared: May 17, 2013

**HOUSE BILL 648, Vote Centers for Second Primaries,** would permit counties to have fewer than all precincts open for a second primary. **Introduced by Representatives Jordan and Michaux, and referred to the House Committee on Elections.**

Date Prepared: April 12, 2013

This bill would permit counties to have fewer than all precincts open for a second primary. **Introduced by Representatives Jordan and Michaux, and referred to the House Committee on Elections.**

Date Prepared: April 12, 2013

HOUSE BILL 655, Political Robo Calls, would permit the addition of political robo calls that are communicated by use of an automatic dialing and recorded message player to the Do Not Call Registry. **Introduced by Representatives Harrison and Fisher, and referred to the House Committee on Elections.**

Date Prepared: April 12, 2013

This bill would permit the addition of political robo calls to the Do Not Call Registry that are communicated by use of an automatic dialing and recorded message player. **Introduced by Representatives Harrison and Fisher, and referred to the House Committee on Elections.**

Date Prepared: April 12, 2013

HOUSE BILL 656, Forfeiture for Speeding to Elude Revisions, would revise the laws governing the seizure, forfeiture and sale of motor vehicles used by defendants in felony cases involving speeding to elude arrest to follow the process used in DWI forfeiture cases. **This bill is supported by the North Carolina Sheriffs' Association. Introduced by Representatives McNeill, Faircloth, Goodman and Dobson, and referred to the House Judiciary Committee.**

Date Prepared: April 12, 2013

This bill would revise the laws governing the seizure, forfeiture and sale of motor vehicles used by defendants in felony cases involving speeding to elude arrest to follow the process used in DWI forfeiture cases. **Introduced by Representatives McNeill, Faircloth, Goodman and Dobson, and referred to the House Committee on Judiciary.**

Date Prepared: April 12, 2013

This bill has passed the House Judiciary Subcommittee A and been referred to the House Committee on Finance. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

This bill has passed the House Judiciary Subcommittee A and been referred to the House Committee on Finance. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

This bill has passed the House and been sent to the Senate for consideration. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 10, 2013

This bill has been assigned to the Senate Judiciary II Committee. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 17, 2013

This bill has passed the Senate Judiciary II Committee and will be considered by the full Senate. **This bill is supported by the North Carolina Sheriffs' Association.**  
Date Prepared: June 14, 2013

This bill has been calendared for a concurrence vote by the House on Monday, June 24. **This bill is supported by the North Carolina Sheriffs' Association.**  
Date Prepared: June 21, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature. **This bill is supported by the North Carolina Sheriffs' Association.**  
Date Prepared: June 28, 2013

HOUSE BILL 658, Use Actual Alcohol Concentration Result, would amend the laws on the use of alcohol screening test results to provide that the actual concentration results of an alcohol screening test may be used for determining if there is reasonable grounds for believing a driver consumed alcohol or committed an implied consent offense. **Introduced by Representatives McNeill, Jones and Ross, and referred to the House Committee on Transportation.**  
Date Prepared: April 12, 2013

This bill would amend the laws on the use of screening test results would be changed to provide that the actual concentration results of an alcohol screening test may be used for determining of there are reasonable grounds for believing a driver consumed alcohol or committed an implied consent offense. **Introduced by Representatives McNeill, Jones and Ross, and referred to the House Committee on Transportation.**  
Date Prepared: April 12, 2013

HOUSE BILL 660, Amend Funeral Procession Law, would allow funeral processions of two or more cars to have the right-of-way at intersections regardless of traffic control signs or signals. The bill would also provide a maximum fine of \$100 for driving through or passing a funeral on a two lane road. **Introduced by Representatives Alexander and Boles, and referred to the House Judiciary Subcommittee A.**  
Date Prepared: April 12, 2013

This bill would allow funeral processions of two or more cars to have the right-of-way at intersections regardless of traffic control signs or signals. The bill would also provide a maximum fine of \$100 for driving through or passing a funeral on a two lane road. **Introduced by Representatives Alexander and Boles, and referred to the House Committee on Judiciary Subcommittee A.**  
Date Prepared: April 12, 2013

This bill has passed the House Judiciary Subcommittee A and been placed on the House calendar for a vote on Monday.  
Date Prepared: April 19, 2013

HOUSE BILL 685, Prohibited Imitation Controlled Substances, is identical to Senate Bill 724 which was summarized in the April 5 Weekly Legislative Report. **Introduced by**

**Representatives Fisher, Horn, Moffitt and Ramsey, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill is identical to Senate Bill 724 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representatives Fisher, Horn, Moffitt and Ramsey, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 697, Shoot Firearm Near School/Increase Penalty, would make it unlawful to discharge a firearm within one thousand feet of a school and make the act a Class I felony.

**Introduced by Representative Moore, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 12, 2013

This bill would make it unlawful to discharge a firearm within one thousand feet of a school and make the act a Class I felony. **Introduced by Representative Moore, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 698, Background Checks for Firefighters, would require current volunteers and paid fire department personnel and emergency medical services personnel to have criminal history record checks. Current law only requires applicants to fire departments and emergency medical services to have records checks. **Introduced by Representatives Saine, Ramsey and Boles, and referred to the House Judiciary Subcommittee A.**

Date Prepared: April 12, 2013

This bill would require current volunteers and paid fire department personnel and emergency medical services personnel to have criminal history record checks. Current law only requires applicants to fire departments and emergency medical services to have records checks.

**Introduced by Representatives Saine, Ramsey and Boles, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 699, Clerk Summons Jurors/Magistrate Eligibility, would provide that clerks of superior court and not the sheriff shall summon prospective jurors for service. The bill would further provide that a law enforcement officer with 15 years of experience would be eligible for appointment as a magistrate. **Introduced by Representatives Saine and Faircloth, and referred to the House Judiciary Subcommittee A.**

Date Prepared: April 12, 2013

This bill would provide that clerks of superior court shall summon prospective jurors for service and not the sheriff. The bill would further provide that a law enforcement officer with 15 years of experience would be eligible for nomination as a magistrate. **Introduced by**

**Representatives Saine and Faircloth, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 700, Omnibus State IT Governance Changes, **Introduced by Representatives Saine, Avila and Cleveland, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 703, Local Government Authority/Precious Metals Dealers, would authorize counties and municipalities to adopt ordinances, rules and regulations that govern precious metals dealers including the hours of operation, nature of the business or type of transaction or the license fees in excess of the rates set by the state. **Introduced by Representatives Brody, McNeill, Waddell and Faircloth, and referred to the House Committee on Commerce and Job Development.**

Date Prepared: April 12, 2013

This bill would authorize counties and municipalities to adopt ordinances, rules and regulations that govern precious metals dealers including the hours of operation, nature of the business or type of transaction or the license fees in excess of the rates set by the state. **Introduced by Representatives Brody, McNeill, Waddell and Faircloth, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 705, Preemption Affirmation Act, would preempt local governments from enacting any ordinances regulating firearms. **Introduced by Representatives Brody and Ford, and referred to the House Judiciary Committee.**

Date Prepared: April 12, 2013

This bill would preempt local governments from enacting any ordinances regulating firearms. **Introduced by Representatives Brody and Ford, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 712, Preserve Biological Evidence/Study, would establish the Joint Select Study Committee on the Preservation of Biological Evidence with membership including the President of the North Carolina Sheriffs' Association or designee and the President of the North Carolina Association of Chiefs of Police or designee. The Committee would review matters related to the preservation of DNA and biological evidence including (i) the costs associated with the promulgation of minimum guidelines for the retention and preservation of biological evidence, (ii) emerging technologies, (iii) procedures for interagency transfer of biological evidence, and (iv) any other topic the Committee believes is related to its purpose. The bill directs the Committee to submit a final report to the General Assembly by April 14, 2014. **Introduced by Representatives Glazier, Stam and Jackson, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 12, 2013

This bill would establish the Joint Select Study Committee on the Preservation of Biological Evidence with membership including the President of the North Carolina Association or designee and the President of the North Carolina Association of Chiefs of Police or designee.

The Committee would review matters related to the preservation of DNA and biological evidence including: (i) the costs associated with the promulgation of minimum guidelines for the retention and preservation of biological evidence; (ii) emerging technologies; (iii) procedures for interagency transfer of biological evidence; and, (iv) any other topic the Committee believes is related to its purpose. The bill directs the Committee to submit a final report to the General Assembly by April 14, 2014. **Introduced by Representatives Glazier, Stam and Jackson, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 714, Abandoned Firearms to State Control, is identical to Senate Bill 443 which was summarized in the March 28 Weekly Legislative Report. **This bill is opposed by the North Carolina Sheriffs' Association.** **Introduced by Representatives Schaffer and Faircloth, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill is identical to Senate Bill 443 which was summarized in the March 28 Weekly Legislative Report. **This bill is opposed by the North Carolina Sheriffs Association.** **Introduced by Representatives Schaffer and Faircloth, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill has passed the House and been sent to the Senate for consideration. **At the request of the North Carolina Sheriffs' Association,** this bill was amended to delete the requirement that weapons be transported to the SBI for disposal.

Date Prepared: May 17, 2013

HOUSE BILL 722, Capital Procedure/Severe Disability, would amend the capital trial, sentencing and post-conviction procedures for a person with a severe mental disability and provide that insanity is not available as a defense to a criminal action if prior alcohol or drug use or both are the sole cause of the psychosis or if voluntary intoxication, a voluntary drugged condition, or both combined are the sole reason for the defense. **Introduced by Representatives Stam, McGrady, Stevens and Jordan, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill would amend the capital trial, sentencing and post-conviction procedures for a person with a severe mental disability and to provide that insanity is not available as a defense to a criminal action if prior alcohol or drug use or both are the sole cause of the psychosis or if voluntary intoxication, a voluntary drugged condition, or both combined are the sole reason for the defense. **Introduced by Representatives Stam, McGrady, Stevens and Jordan, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 725, Young Offenders Rehabilitation Act, would raise the age of juvenile jurisdiction to include 16 and 17-year-olds who have committed misdemeanor offenses and establish the Juvenile Jurisdiction Advisory Committee. The bill would provide for a July 1,



2016 effective date for those under 16 at the time of the commission of the misdemeanor offense to fall under juvenile jurisdiction and July 1, 2017 effective date for those under 17-years-old.

The Juvenile Jurisdiction Advisory Committee's membership would include a sheriff and a chief of police each appointed by the President Pro Tempore of the Senate. The bill would also do the following:

- 1) provide that juveniles that are at least 16-years-old who are arrested by law enforcement may be released without the presence of the juvenile's parent, guardian, or custodian;
- 2) make changes to the juvenile history level point assignments to include prior misdemeanor convictions; and
- 3) amend the duties and powers of the Department of Public Safety to provide that the Secretary is responsible for providing transportation to and from any State of local juvenile facility of any person under the jurisdiction of the juvenile court.

**This bill is opposed by the North Carolina Sheriffs' Association. Introduced by Representatives Avila, Moffitt, Mobley and Hall, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill would raise the age of juvenile jurisdiction to include 16 and 17-year-olds who have committed misdemeanor offenses and establish the Juvenile Jurisdiction Advisory Committee. The bill would provide for a July 1, 2016 effective date for those under 16 at the time of the commission of the misdemeanor offense to fall under juvenile jurisdiction and July 1, 2017 effective date for those under 17 years old. The Juvenile Jurisdiction Advisory Committee's membership would include a sheriff and a chief of police each appointed by the President Pro Tempore of the Senate. The bill would also do the following:

- 1) provides that juveniles that are at least 16-years-old who are arrested by law enforcement may be released without the presences of the juvenile's parent, guardian, or custodian;
- 2) make changes to the juvenile history level point assignments to include prior misdemeanor convictions; and
- 3) amend the duties and powers of the Department of Public Safety to provide that the Secretary is responsible for providing transportation to and from any State of local juvenile facility of any person under the jurisdiction of the juvenile court.

**This bill is opposed by the North Carolina Sheriffs Association. Introduced by Representatives Avila, Moffitt, Mobley and Hall, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill was withdrawn from House Judiciary Subcommittee B and referred to the House Judiciary Subcommittee A. **This bill is opposed by the North Carolina Sheriffs' Association.**

Date Prepared: April 19, 2013

This bill is scheduled for consideration on Wednesday, June 12 by the House Judiciary Subcommittee A. This bill will raise the juvenile age from 16 to 18 for some offenders. **This bill is opposed by the North Carolina Sheriffs' Association.**

Date Prepared: June 07, 2013

This bill has passed the House Judiciary A Committee and been referred to the House Committee on Appropriations. **This bill is opposed by the North Carolina Sheriffs' Association.**

Date Prepared: June 14, 2013

HOUSE BILL 738, Amend DWLR Law, is identical to Senate Bill 585 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representatives Bryan and Schaffer, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill is identical to Senate Bill 585 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representatives Bryan and Schaffer, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 741, Amend Civil No-Contact Laws/Stalking, is identical to Senate Bill 409 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Representatives Schaffer and Bryan, and referred to the House Judiciary Subcommittee C.**

Date Prepared: April 12, 2013

This bill is identical to Senate Bill 409 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Representatives Schaffer and Bryan, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 757, Define/Domestic Violence Personal Relationship/Criminal Prosecution Laws, would provide a definition for personal relationship under the laws regarding bail and pretrial release for domestic violence offenses to ensure consistency with the definition for personal relationship under the laws pertaining to domestic violence. **Introduced by Representative McNeill, and referred to the House Judiciary Subcommittee C.**

Date Prepared: April 12, 2013

This bill would provide a definition for personal relationship under the laws regarding bail and pretrial release for domestic violence offenses to ensure consistency with the definition for personal relationship under the laws pertaining to domestic violence. **Introduced by Representative McNeill, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 759, Required Number of Operating Brake Lights, would clarify that motor vehicles must have at least one working stop lamp on each side of the rear of the vehicle. **Introduced by Representatives Brown and Stam, and referred to the House Committee on Transportation.**

Date Prepared: April 12, 2013

This bill would clarify that motor vehicles must have at least one working stop lamp on each side of the rear of the vehicle. **Introduced by Representatives Brown and Stam, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill has been assigned to the Senate Committee on Transportation.

Date Prepared: May 17, 2013

HOUSE BILL 762, Amend Certain Bail Bond Procedures, would amend various procedural requirements regarding bail bonds including: (i) repealing the requirement for a clerk of superior court to provide copies of forfeiture set aside motions to the district attorney and the attorney for the board of education; and, (ii) also repealing the requirement that the sheriff must receive a certified copy of the bail bond, forfeiture, or release order. **Introduced by Representatives Hardister, Faircloth, Turner and Wray, and referred to the House Judiciary Subcommittee A.**

Date Prepared: April 12, 2013

This bill would amend various procedural requirements regarding bail bonds including; (i) repealing the requirement for a clerk of superior court to provide copies of forfeiture set aside motions to the district attorney and the attorney for the board of education; and, (ii) also repealing the requirement that the sheriff must receive a certified copy of the bail bond, forfeiture, or release order. **Introduced by Representatives Hardister, Faircloth, Turner and Wray, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill has been assigned to the Senate Judiciary II Committee.

Date Prepared: May 10, 2013

This bill has been scheduled for a vote in the Senate on Tuesday, June 11.

Date Prepared: June 07, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 14, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 21, 2013

HOUSE BILL 766, Simple Election Act, would repeal second primaries and have the person or persons with the highest vote totals in a primary election declared the nominee or nominees for the General Election. **Introduced by Representatives Riddell, Hardister and Malone, and referred to the House Committee on Elections.**

Date Prepared: April 12, 2013

This bill would repeal second primaries and have the person with the highest vote totals in a primary election declared the nominees for the General Election. **Introduced by Representatives Riddell, Hardister and Malone, and referred to the House Committee on .**  
Date Prepared: April 12, 2013

HOUSE BILL 768, Pretrial Release/No Unsecured Bond, would amend the law on the procedure for determining conditions of pretrial release to eliminate an unsecured appearance bond as a pretrial release condition. **Introduced by Representatives Schaffer, Hager, Jordan and Brandon, and referred to the House Judiciary Subcommittee A.**  
Date Prepared: April 12, 2013

This bill would and the law on the procedure for determining conditions of pretrial release to eliminate unsecured appearance bond as a pretrial release condition. **Introduced by Representatives Schaffer, Hager, Jordan and Brandon, and referred to the House Committee on .**  
Date Prepared: April 12, 2013

HOUSE BILL 777, Sex Offender/Expand Residential Restrictions, would amend the law that imposes residential restrictions on sex offenders to provide that a sex offender is prohibited from residing within 1,000 feet of a site where a Boy Scout or Girl Scout Troop meets or where a Boys and Girls Club is located. **Introduced by Representative Jackson, and referred to the House Judiciary Subcommittee B.**  
Date Prepared: April 12, 2013

This bill would amend the law that imposes residential restrictions on sex offenders to provide that a sex offender is prohibited from residing within 1,000 feet of a site where a Boy Scout or Girl Scout Troop meets or where a Boys and Girls Club is located. **Introduced by Representative Jackson, and referred to the House Committee on .**  
Date Prepared: April 12, 2013

This bill has been assigned to the Senate Judiciary II Committee.  
Date Prepared: May 17, 2013

HOUSE BILL 783, Pyrotechnics Technical and Conforming Changes, is essentially the same as House Bill 382 summarized in the March 22 Weekly Legislative Report but also makes an exception to the law requiring on-site supervision for pyrotechnic displays at public exhibitions for the North Carolina School of the Arts. **Introduced by Representative Starnes, and referred to the House Committee on Regulatory Reform.**  
Date Prepared: April 12, 2013

This bill is essential the same as House Bill 382 summarized in the March 22 Weekly Legislative Report but also makes an exception to the law requiring on-site supervision for pyrotechnic displays at public exhibitions for the North Carolina School of the Arts. **Introduced by Representative Starnes, and referred to the House Committee on .**  
Date Prepared: April 12, 2013

HOUSE BILL 784, Worthless Check/Present Cashed Check, would amend the laws relating to worthless checks to apply when a check that has been paid in full is presented again for payment.

**Introduced by Representatives Stone, Dobson, Jordan and Carney, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill would amend the laws relating to worthless checks to apply when a check that has been paid in full is presented again for payment. **Introduced by Representatives Stone, Dobson, Jordan and Carney, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 786, RECLAIM NC Act, would enact comprehensive legislation addressing immigration matters in North Carolina including the following:

- 1) increase the penalties for possession, manufacture or sale of fraudulent forms of identification from a Class 1 misdemeanor to a Class I felony with exceptions for (i) mere possession of a fraudulent or false form of identification, (ii) a violation by a person under the age of 21 for the purpose of the underage purchase of alcohol, and (iii) a violation by a person under the age of 18 for the purpose of the underage purchase of tobacco products which will remain Class 1 misdemeanors;
- 2) create a rebuttable presumption against the pretrial release of undocumented aliens who are charged with a sex offense, violent offense, driving offense, drug offense or gang offense or if there is reasonable cause to believe the United States Immigration and Customs Enforcement has guaranteed it will issue a detainer for removal proceedings and reimburse the State for the cost of incarceration;
- 3) reimbursement to the State of incarceration costs by prisoners who are unlawfully present in the United States through set-off debt collection by the North Carolina Department of Revenue and through the court order of a civil judgment;
- 4) authorize immigration status checks for persons who are lawfully stopped, detained, or arrested by a law enforcement officer where reasonable suspicion exists that the person is unlawfully present in the United States and the individual cannot provide a valid form of government identification or if it is not practicable to verify the person's immigration status or verifying the person's immigration status may hinder or obstruct an investigation;
- 5) that any record that relates to the immigration status of a person is admissible in any North Carolina court;
- 6) that a State or local law enforcement agency may securely transport an alien who is in the agency's custody and whom the agency has verified is unlawfully present in the United States to a federal facility within the State and law enforcement shall obtain judicial or executive authorization from the Governor before securely transporting an alien to a point of transfer outside North Carolina;
- 7) prohibit the use of the following documents for identification: (i) matricula consular or similar document issued by a consulate or embassy of another country; and (ii) an identity document issued or created by any person, organization, county, city or other local authority, except where expressly authorized to be used for this purpose by the General Assembly;
- 8) make changes to E-Verify;

- 9) require undocumented alien drivers to obtain a restricted driver's permit or non-drivers to obtain a restricted identification card and the applicant must (i) agree to a fingerprint based criminal history check and the check shows the applicant has no criminal history, (ii) submit a valid birth certificate, passport, or a copy of the federal W-2 or W-7 Internal Revenue Form, (iii) demonstrate they have been a resident of North Carolina for at least one year and the period of residency began prior to April 1, 2013, and (iv) pay a fee for the one-year drivers permit to be determined by the Secretary of the Department of Transportation which shall not be lower than the actual cost of processing the application and pay a renewal fee of \$25;
- 10) require that the restricted driver's permit and restricted identification card be printed in a vertical format and clearly marked as a limited duration restricted driver's permit and restricted identification card and bear the person's thumbprint is electronically readable; and,
- 11) authorize the impoundment and sale of vehicles for driving while license revoked, driving without a license, and driving while failing to maintain financial responsibility using the same process for seizing and forfeiting vehicles that is used under the DWI law.

**Introduced by Representatives Warren, Jordan, Brown and Collins, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill would enact comprehensive legislation addressing immigration matters in North Carolina including the following:

- 1) increase the penalties for possession, manufacture or sale of fraudulent forms of identification from a Class 1 misdemeanor to a Class I felony with exceptions for, (i) mere possession of a fraudulent or false form of identification, (ii) a violation by a person under the age of 21 for the purpose of the underage purchase of alcohol, and (iii) a violation by a person under the age of 18 for the purpose of the underage purchase of tobacco products which will remain Class 1 misdemeanors;
- 2) create a rebuttable presumption against the pretrial release of undocumented aliens who are charged with a sex offense, violent offense, driving offense, drug offense or gange offense or if there is reasonable cause to believe the United States Immigration and Customs Enforcement has guaranteed it will issue a detainer for removal proceedings and reimburse the State for the cost of incarceration;
- 3) reimbursement to the State of incarceration costs by prisoners who are unlawfully present in the United states through set-off debt collection by the North Carolina Department of Revenue and through the court order of a civil judgment;
- 4) authorize immigration status checks for persons who are lawfully stopped, detained, or arrested by a law enforcement officer where reasonable suspicion exists that the person is unlawfully present in the United States and the individual cannot provide a valid form of government identification or if it is not practicable to verify the person's immigration status or verifying the person's immigration status may hinder or obstruct an investigation;
- 5) that any record that relates to the immigration status of a person is admissible in any North Carolina court;

- 6) that a State of local law enforcement agency may securely transport an alien who is in the agency's custody and whom the agency has verified is unlawfully present in the United States to a federal facility within the State and law enforcement shall obtain judicial or executive authorization from the Governor before securely transporting an alien to a point of transfer outside North Carolina;
- 7) prohibit the use of the following documents for identification, (i) matricula consular or similar document issued by a consulate or embassy of another country, and (ii) an identity document issued or created by any person, organization, county, city or other local authority, except where expressly authorized to be used for this purpose by the General Assembly;
- 8) changes to E-Verify;
- 9) require undocumented alien drivers to obtain restricted drivers permit or non-drivers to obtain a restricted identification card and the applicant must, (i) agree to a fingerprint based criminal history check and the check shows the applicant has no criminal history, (ii) the applicant submits a valid birth certificate, passport, or a copy of the federal W-2 or W-7 Internal Revenue Form, (iii) the applicant demonstrates they have been a resident of North Carolina for at least one year and the period of residency began prior to April 1, 2013, (iv) the fee for the one-year drivers permit is to be determined by the Secretary of the Department of Transportation and shall not be lower than the actual cost of processing the application and the renewal fee shall be \$25;
- 10) require that the restricted drivers permit and restricted identification card to be printed in a vertical format and clearly marked as a limited duration restricted drivers permit and restricted identification card and bear the person's thumbprint is electronically readable; and,
- 11) authorize the impoundment and sale of vehicles for driving while license revoked, driving without a license, and driving while failing to maintain financial responsibility using the same process for seizing and forfeiting vehicles under the DWI law.

**Introduced by Representatives Warren, Jordan, Brown and Collins, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill has passed the House Judiciary Subcommittee B and been referred to the House Committee on Finance. Several clarifying amendments were adopted to the enforcement sections of the bill.

Date Prepared: May 03, 2013

This bill has passed the House Judiciary Subcommittee B and been referred to the House Committee on Finance.

Date Prepared: May 03, 2013

This bill has passed the House Committee on Finance.

Date Prepared: May 24, 2013

HOUSE BILL 794, Voter Freedom Act of 2013, would amend the definition of "political party" and provide other changes to the process for nominating candidates from smaller political

parties. **Introduced by Representatives Saine, Luebke, Lewis and Moore, and referred to the House Committee on Elections.**

Date Prepared: April 12, 2013

This bill would amend the definition of “political party” and provide other changes to the process for nominating candidates for smaller political parties. **Introduced by Representatives Saine, Luebke, Lewis and Moore, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 799, Crossing Solid Line to Pass Certain Vehicles, would allow a driver to overtake and pass slower moving vehicles such as tractors and other farm vehicles, trash collection vehicles, mail delivery vehicles, mopeds and bicycles which are going at least 10 miles per hour below the speed limit on portions of highways marked as no passing zones.

**Introduced by Representative Hall, and referred to the House Committee on Transportation.**

Date Prepared: April 12, 2013

This bill would allow a driver to overtake and pass slower moving vehicles such as tractors and other farm vehicles, trash collection vehicles, mail delivery vehicles, mopeds and bicycles which are going at least 10 miles per hour below the speed limit on portions of highways marked as no passing zones. **Introduced by Representative Hall, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 800, Grand Jury Investigations/Prosecutor Training Study, would expand the list of crimes for which an investigative grand jury can be convened to include: (i) bribery, obstructing justice, secret listening, buying and selling offices, failing to discharge duties, public officers or employees benefiting from public contracts and misuse of confidential information; (ii) embezzlement of property received by virtue of office or employment, obtaining property by false pretenses, extortion, forgery and counterfeiting; (iii) voting law violations and regulation of contributions and expenditures in political campaigns; and (iv) malfeasance of corporation offices and agents. **Introduced by Representative Hall, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 12, 2013

This bill would expand the list of crimes for which an investigative grand jury can be convened to include, (i) bribery, obstructing justice, secret listening, buying and selling offices, failing to discharge duties, public officers or employees benefiting from public contracts and misuse of confidential information, (ii) embezzlement of property received by virtue of office or employment, obtaining property by false pretenses, extortion, forgery and counterfeiting, (iii) voting law violations and regulation of contributions and expenditures in political campaigns, and (iv) malfeasance of corporation offices and agents. **Introduced by Representative Hall, and referred to the House Committee on .**

Date Prepared: April 12, 2013



HOUSE BILL 801, Multiple Expunctions/Dismissal or Not Guilty, would provide that a person may obtain an expunction for any charges that were dismissed or for which a finding of not guilty or not responsible is entered and that no fee shall be charged for the first petition to expunge a charge from a person's record. **Introduced by Representatives Hall and Harrison, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill would provide that a person may obtain an expunction for any charges that were dismissed or for which a finding of not guilty or not responsible is entered and that no fee shall be charged for the first petition to expunge a charge from a person's record. **Introduced by Representatives Hall and Harrison, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 802, Landlord/Tenant/Shorten Eviction Time, would amend the laws relating to landlord and tenant relationships to shorten the time period required to evict a tenant from 10 days to 5. The bill also provides that the sheriff's time to execute a writ for possession of property upon receipt is changed to 5 days from the current law of 7 days. **Introduced by Representatives Earle, Moore, Brawley and Cunningham, and referred to the House Judiciary Subcommittee C.**

Date Prepared: April 12, 2013

This bill has been scheduled for a vote in the House on Monday, May 13. This bill was amended in Committee to include the use of private process servers for the service of the summons and complaints in summary ejectments in counties having a population of 300,000 or more **without the North Carolina Sheriffs' Association's prior knowledge of the amendment. The North Carolina Sheriffs' Association opposes any authorization for the use of private process servers.**

Date Prepared: May 10, 2013

This bill has passed the House and been referred to the Senate Judiciary II Committee. **At the request of the North Carolina Sheriffs' Association,** the bill was amended to remove the sections that would have authorized the use of private process servers for the service of the summons and complaint in summary ejectments in counties having a population of 300,000 or more. The North Carolina Sheriffs' Association has historically opposed authorization of the use of private process servers.

Date Prepared: May 17, 2013

HOUSE BILL 809, Game Nights/Nonprofit Fundraisers, would authorize and regulate nonprofit organizations to operate "game nights" offering games of chance and allow the consumption of alcoholic beverages at such events. **Introduced by Representatives Boles, Moffitt and Murry, and referred to the House Committee on Commerce and Job Development.**

Date Prepared: April 12, 2013

This bill would authorize and regulate nonprofit organizations to operate "game nights" offering games of chance and allow the consumption of alcoholic beverages at such events. **Introduced by Representatives Boles, Moffitt and Murry, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill has been reassigned to the House Judiciary Committee.

Date Prepared: June 07, 2013

HOUSE BILL 812, Special License Plate DWI Offenders, would require persons convicted of impaired driving to have a special license plate of a different color for all vehicles owned by the person and pay an additional fee of \$10 for each special plate. **Introduced by Representative Boles, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill would require persons convicted of impaired driving to have a special license plate of a different color for all vehicles owned by the person and pay an additional fee of \$10 for the special plate. **Introduced by Representative Boles, and referred to the House Committee on**

Date Prepared: April 12, 2013

HOUSE BILL 813, Prohibited Imitation Controlled Substances, is essentially the same as House Bill 685 and Senate Bill 785 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representatives Horn, Moffitt and Blust, and referred to the House Judiciary Subcommittee C.**

Date Prepared: April 12, 2013

This bill is essentially the same as House Bill 685 and Senate Bill 785 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representatives Horn, Moffitt and Blust, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill has been scheduled for a vote in the House on Monday, May 13.

Date Prepared: May 10, 2013

This bill has been assigned to the Senate Judiciary II Committee.

Date Prepared: May 17, 2013

This bill has been scheduled for a vote in the Senate on Tuesday, June 4.

Date Prepared: May 31, 2013

This bill has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 07, 2013

This bill has been signed by Governor Pat McCrory and will become effective July 1, 2013.

Date Prepared: June 14, 2013

HOUSE BILL 815, Ban Use of Credit History in Hiring/Firing, would amend the labor laws to make discrimination based upon an employee's or prospective employee's credit history unlawful. The bill does not contain an exception or exemption for law enforcement employees

certified by both the NC Sheriffs' Education and Training Standards Commission and the NC Criminal Justice Education and Training Standards Commission. **Introduced by Representatives Luebke, Harrison, Adams and Graham, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 12, 2013

This bill would amend the labor laws to make it an unlawful employment discrimination based upon an employee's or prospective employee's credit history. The bill does not contain an exception or exemption for law enforcement employees certified by both Education and Training Standards Commissions. **Introduced by Representatives Luebke, Harrison, Adams and Graham, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 820, Judicial Reform Act, would make various changes to the laws governing the legislative oversight of the Judicial Department and the appointment of district court judges by the governor when vacancies occur. The bill would also authorize chief district court judges to ensure the best and most efficient use of court resources by making the fullest use of magistrates for traffic court and for administrative and other matters to which magistrates may be assigned under existing law. **Introduced by Representatives Burr, Hager and Boles, and referred to the House Judiciary Subcommittee A.**

Date Prepared: April 12, 2013

This bill would make various changes to the laws governing the legislative oversight of the Judicial Department and the appointment of district court judges by the governor when vacancies occur. The bill would also authorize chief district court judges to ensure the best and most efficient use of court resources by making the fullest use of magistrates for traffic court and for administrative and other matters to which magistrates may be assigned under existing law.

**Introduced by Representatives Burr, Hager and Boles, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 825, Minor Can't Be Prosecuted for Prostitution, would provide that a minor shall not be prosecuted for the offense of prostitution and if detained for that offense shall be subject to temporary protective custody as provided by the state juvenile laws. **Introduced by Representatives Glazier, McGrady and Jordan, and referred to the House Judiciary Subcommittee B.**

Date Prepared: April 12, 2013

This bill would provide that a minor shall not be prosecuted for the offense of prostitution and if detained for that offense shall be subject to temporary protective custody as provided by the state juvenile laws. **Introduced by Representatives Glazier, McGrady and Jordan, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 834, Amend Locksmith License Act/Raise Fee Ceiling, is identical to Senate Bill 18 which was summarized in the February 1 Weekly Legislative Report. **This bill is opposed by the North Carolina Sheriffs' Association.** It would prohibit law enforcement officers from unlocking motor vehicles for drivers, except in case of emergency. **Introduced by Representatives Collins and Burr, and referred to the House Committee on Regulatory Reform.**

Date Prepared: April 12, 2013

This bill is identical to Senate Bill 18 which was summarized in the February 1 Weekly Legislative Report. **Introduced by Representatives Collins and Burr, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill has been reassigned to the House Committee on Regulatory Reform. **This bill is opposed by the North Carolina Sheriffs' Association** because of the provision that

Date Prepared: May 03, 2013

This bill has been reassigned to the House Committee on Regulatory Reform. **This bill is opposed by the North Carolina Sheriffs' Association** because of the provision that restricts law enforcement officers' authority to only open a locked door "in a life threatening emergency or during the investigation of a crime" rather than current law which allows "when acting in the scope and course of [officer's] employment".

Date Prepared: May 03, 2013

This bill was originally a bill dealing with locksmith licensing and certification that has been amended to make changes to the Office of State Personnel and the State Personnel Act. The bill has passed the House Committee on State Personnel and been assigned to the Committee on Appropriations.

Date Prepared: May 10, 2013

HOUSE BILL 835, Honor Deputy Warren Lewis, honors the life and memory of Warren Basco "Sneak" Lewis, III, fallen Nash County Sheriff's deputy. **Introduced by Representatives Collins and Richardson, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 12, 2013

This bill honors the life and memory of Warren Basco "Sneak" Lewis, III, fallen Nash County Sheriff's deputy. **Introduced by Representatives Collins and Richardson, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 842, Spirituous Liquor Sales-Distilleries, would allow distilleries in North Carolina to sell to patrons who have participated in a tour, spirituous liquor distilled at the distillery for the price set by the North Carolina Alcoholic Beverage Control Commission. **Introduced by Representatives Bell, Moffitt, Brown and Graham, and referred to the**

**House Committee on Commerce and Job Development Subcommittee on Alcoholic Beverage Control.**

Date Prepared: April 12, 2013

This bill would allow distilleries in North Carolina to sell to patrons who have participated in a tour spirituous liquor distilled at the distillery for the price set by the North Carolina Alcoholic Beverage Control Commission. **Introduced by Representatives Bell, Moffitt, Brown and Graham, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 847, Mission Foundation Special Plate, would require the Division of Motor Vehicles to produce a special registration plate for Mission Healthcare Foundation, Incorporated which may bear a phrase and logo selected by Mission Healthcare Foundation, Incorporated. **Introduced by Representatives Moffitt, Ramsey and Fisher.**

Date Prepared: April 12, 2013

This bill would require the Division of Motor Vehicles to produce a special registration plate for Mission Healthcare Foundation, Incorporated which may bear a phrase and logo selected by Mission Healthcare Foundation, Incorporated. **Introduced by Representatives Moffitt, Ramsey and Fisher, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 850, Possession of Needles/Tell Law Officer, would provide that a person who alerts a law enforcement officer to the presence of a hypodermic needle or other sharp object possessed by the person prior to a search by the officer shall not be charged with possession of a drug paraphernalia for possession of the needle or other sharp object. **Introduced by Representatives McNeill, Faircloth, Hardister and Dollar.**

Date Prepared: April 12, 2013

This bill would provide that a person who alerts a law enforcement officer of the presence of a hypodermic needle or other sharp object possessed by the person prior to a search by the officer shall not be charged with possession of a drug paraphernalia for possession of the needle or other sharp object. **Introduced by Representatives McNeill, Faircloth, Hardister and Dollar, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill was reassigned from the House Judiciary Committee to the House Judiciary Subcommittee A. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: April 26, 2013

This bill has been scheduled for a vote in the House on Monday, May 13.

Date Prepared: May 10, 2013

This bill has been assigned to the Senate Judiciary II Committee. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 17, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: June 14, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: June 21, 2013

**HOUSE BILL 851, Required Number of Operating Brake Lights**, would clarify that motor vehicles must have at least two working stop lamps on the rear of the vehicle. **Introduced by Representatives Setzer, Carney and Holley.**

Date Prepared: April 12, 2013

This bill would clarify that motor vehicles must have at least two working stop lamps on the rear of the vehicle. **Introduced by Representatives Setzer, Carney and Holley, and referred to the House Committee on .**

Date Prepared: April 12, 2013

**HOUSE BILL 855, Human Trafficking**, would do the following:

- 1) amend the definition of abused juvenile to include a minor who is a victim of human trafficking;
- 2) provide that mistake of age and consent of a minor are not defenses to prosecution of an offense of human trafficking;
- 3) provide that a minor shall not be prosecuted for the offense of prostitution;
- 4) provide for the expunction of persons convicted of prostitution who were minors at the time of their conviction;
- 5) provide that a person who has one conviction for prostitution that is the result of being a human trafficking victim is eligible for victim's compensation;
- 6) provide education materials on human trafficking; and
- 7) establish a hotline for reporting suspected cases of human trafficking.

**Introduced by Representatives Schaffer and Presnell.**

Date Prepared: April 12, 2013

This bill would do the following:

- 1) amend the definition of abused juvenile to include a minor who is a victim of human trafficking;
- 2) provide that mistake of age and consent of a minor are not defenses to prosecution of an offense of human trafficking;
- 3) provide that a minor shall not be prosecuted for the offense of prostitution;
- 4) provide for the expunction of persons convicted of prostitution who were minors at the time of their conviction;
- 5) provide that a person who has one conviction for prostitution that is the result of being a human trafficking victim is eligible for victim's compensation;
- 6) provide education materials on human trafficking; and

7) establish a hotline for reporting suspected cases of human trafficking.

**Introduced by Representatives Schaffer and Presnell, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill has passed the House and been sent to the Senate for consideration.

Date Prepared: May 17, 2013

HOUSE BILL 864, Prohibit E-Cigarette Sales to Minors, is identical to Senate Bill 530 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representative Fulghum.**

Date Prepared: April 12, 2013

This bill is identical to Senate Bill 530 which was summarized in the April 5 Weekly Legislative Report. **Introduced by Representative Fulghum, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 869, Gun Permits Valid For 3 Years, would provide that a permit to purchase a pistol and a concealed handgun permit shall be valid for a period of 3 years from the date issued rather than a period of 5 years. **Introduced by Representative Adams.**

Date Prepared: April 12, 2013

This bill would provide that a permit to purchase a pistol and a concealed handgun permit shall be valid for a period of 3 years from the date issued rather than a period of 5 years. **Introduced by Representative Adams, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 876, Local LEO/Serve Subpoena by Phone, would provide that in addition to a sheriff or sheriff's designee, any employee of a local law enforcement agency may serve a subpoena for the attendance of a witness by telephone. **Introduced by Representative Turner.**

Date Prepared: April 12, 2013

This bill would provide that in addition to a sheriff or sheriff's designee, any employee of a local law enforcement agency may serve a subpoena for the attendance of a witness by telephone.

**Introduced by Representative Turner, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 879, Grand Jurors/Service, would provide that jurors who serve their full term of service on a Grand Jury shall not be required to serve again as a Grand Juror or juror for a period of 6 years. **Introduced by Representatives Davis and Daughtry.**

Date Prepared: April 12, 2013

This bill would provide that jurors who serve their full term of service on a Grand Jury shall not be required to serve again as a Grand Juror or juror for a period of 6 years. **Introduced by Representatives Davis and Daughtry, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 888, Amend Drug Laws/Ellison v. Treadway, would clarify that possession of prescription drugs containing an opiate and a non-controlled commercial FDA approved drug product would not be punished based upon the weight of the drug but by the number of dosages possessed. **Introduced by Representatives Baskerville, Glazier and Faircloth.**

Date Prepared: April 12, 2013

This bill would clarify that possession of prescription drugs containing an opiate and a non-controlled commercial FDA approved drug product would not be punished based upon the weight of the drug but by the number of dosages possessed. **Introduced by Representatives Baskerville, Glazier and Faircloth, and referred to the House Committee on .**

Date Prepared: April 12, 2013

This bill has been assigned to the Senate Committee on Rules and Operation of the Senate.

Date Prepared: May 17, 2013

HOUSE BILL 897, Expanded Western Crime Lab/Existing State Building, is identical to Senate Bill 497 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Representatives Blackwell, Hager, Starnes and Dobson.**

Date Prepared: April 12, 2013

This bill is identical to Senate Bill 497 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Representatives Blackwell, Hager, Starnes and Dobson, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 907, Permanent Plates/Nonprofit Transportation Agency, would require the Division of Motor Vehicles to issue permanent registration plates to nonprofit agencies that provide transportation services. **Introduced by Representatives Shepard and Hurley.**

Date Prepared: April 12, 2013

This bill would require the Division of Motor Vehicles to issue permanent registration plates to nonprofit agencies that provide transportation services. **Introduced by Representatives Shepard and Hurley, and referred to the House Committee on .**

Date Prepared: April 12, 2013

HOUSE BILL 908, Fraud/Increase Penalties, would increase the penalties for obtaining property by false pretense based upon the value of the property and provide for an enhanced penalty for a second or subsequent offense. **Introduced by Representatives Murry, S. Ross and Glazier.**

Date Prepared: April 12, 2013

This bill **Introduced by Representatives Shepard and Hurley**



Date Prepared: April 12, 2013

This bill has been assigned to the Senate Committee on Rules and Operation of the Senate.

Date Prepared: May 17, 2013

HOUSE BILL 914, Public Safety/Gun Transfer/Background Check, would do the following:

- 1) provide that all firearm transfers must have a permit except those transfers between immediate family members;
- 2) define firearm as a handgun, rifle, shotgun or other weapon of any description from which any shot, bullet or other missile can be discharged;
- 3) change the expiration date on permits to purchase or transfer a firearm to 3 years instead of 5 years;
- 4) raise the fee for the purchase or transfer permit to \$25 from \$5;
- 5) allow a sheriff to revoke a purchase or transfer permit for (i) fraud or misrepresentation in obtaining a permit, (ii) misuse of a permit including giving or selling the permit to another person, (iii) the violation of any terms of the permit, and (iv) if the applicant is adjudicated guilty or receives a prayer for judgment continued for a crime which would have disqualified the applicant from initially receiving the permit;
- 6) allows a permittee to appeal a revocation to the chief district court judge whose decision is final;
- 7) requires records of private transfers to be maintained by the transferor; and
- 8) further defines the manner in which a firearm should be stored to protect a minor.

**Introduced by Representatives Earle, Hall and Michaux.**

Date Prepared: April 12, 2013

HOUSE BILL 915, Road Safety Through Driver's License Access, would repeal the provision that the Division of Motor Vehicles not issue a driver's license or identification card to an applicant without a social security number and provide that the person could qualify to be issued a driver's license in North Carolina without a social security number if the applicant provided valid documentation issued by or under the authority of the United States government that demonstrates the applicant's lawful presence in the United States, an Individual Taxpayer Identification Number, or a United States or foreign passport. **Introduced by Representatives Fisher, Wray, Brisson and Moore.**

Date Prepared: April 12, 2013

HOUSE BILL 930, Dog Breeding Standards/Law Enforcement Tools, would regulate large commercial dog breeding facilities through the establishment of standards of care in the Cruelty to Animals section of the General Statutes. The bill provides that for a violation of the standards the punishment is a Class 3 misdemeanor and a fine of not less than \$25 per animal and no more than a total of \$1,000 unless the person has been found in violation of the section previously and

in such cases the punishment is a Class A1 misdemeanor. **Introduced by Representatives Saine, Ramsey, McGrady and Brown.**

Date Prepared: April 12, 2013

This bill has passed the House and been sent to the Senate for consideration.

Date Prepared: May 10, 2013

This bill has been assigned to the Senate Committee on Agriculture/Environment/Natural Resources.

Date Prepared: May 17, 2013

HOUSE BILL 936, Wildlife Poacher Reward Fund, would establish a wildlife poacher reward fund to pay rewards to persons who give law enforcement authorities information that results in the arrest and conviction of persons who commit serious wildlife violations. **Introduced by Representatives Wray, Faircloth, Moffitt and Bell.**

Date Prepared: April 12, 2013

This bill has passed the House and been sent to the Senate for consideration.

Date Prepared: May 17, 2013

HOUSE BILL 937, Amend Various Firearms Laws, would make changes to various firearm related laws and offenses including:

- 1) allow a person with a concealed handgun permit to have a firearm in a closed compartment or container within the person's locked vehicle when the vehicle is in a parking area that is owned or leased by State government;
- 2) allow a person who is an employee of a public institution of higher learning living on campus and who has a concealed handgun permit to have a handgun either on the premises of the employee's residence or in a container within the employee's locked vehicle that is located in a parking area of the educational property as long as the handgun remains at all times either on the premise of the employee's residence or in the closed compartment of the employee's locked vehicle;
- 3) allow a person who has a concealed handgun permit to have a handgun in a locked compartment within the person's vehicle if the vehicle is on the education property of a community college, public college or public university;
- 4) makes it a Class 2 misdemeanor to permit any child under the age of 12 to have access to, possession or use of any gun, pistol or other dangerous firearm, whether such weapon be loaded or unloaded, without consent of the child's parent or guardian;
- 5) increase the penalty for the commission of a Class A, B1, B2, C, D, or E felony with a firearm from 60 to 72 months;
- 6) establish an enhanced penalty for the commission of a Class F or G felony with a firearm by adding 36 months and a Class H or I felony with a firearm by adding 12 months;

- 7) further defines recreation facilities in which a concealed handgun permittee may secure a handgun in a locked vehicle to include an athletic field, swimming pool and facility used for athletic events including a gymnasium; and,
- 8) specifies that the definition of recreation facility does not include any greenway, designated biking or walking path or open fields.

**Introduced by Representatives Schaffer, Burr, Faircloth and Cleveland.**

Date Prepared: April 12, 2013

This bill has passed the House Judiciary Subcommittee A and been scheduled for a vote in the House on Tuesday, April 30. **This bill is supported by the North Carolina Sheriffs' Association.**

**Association.**

Date Prepared: April 26, 2013

This bill has been scheduled by the House for a vote on Monday, May 6. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

This bill has been scheduled by the House for a vote on Monday, May 6. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

This bill has passed the House and been assigned to the Senate Committee on Rules and Operations of the Senate.

Date Prepared: May 10, 2013

This bill has passed the Senate and has been returned to the House for consideration of the Senate changes. The bill was amended and **the North Carolina Association supports** the new provisions contained in the House version of HB 937 which provide for stronger mental health background checks and supports the new provision to make gun permit records confidential.

**The North Carolina Sheriffs' Association opposes** the provision that would repeal the pistol purchase permit law.

Date Prepared: June 14, 2013

This bill has been assigned to the House Committee on Rules, Calendar, and Operations of the House. The bill was amended in the Senate Judiciary I Committee and on the floor of the Senate. The new provisions are as follows:

- Adds new language which would allow a person who has a concealed handgun in a locked compartment in a vehicle on educational property. This replaced language that allowed for the concealed handgun in a locked compartment in a vehicle on the premises of a community college or public or private college or university.
- Adds a new section that would provide that the listing of persons issued a concealed handgun permit maintained by a sheriff and sent to the SBI are confidential and not a public record. **This section is supported by the North Carolina Sheriffs' Association.**

- Adds a new section that would provide that every dealer in pistols and other weapons is required to maintain an accurate record of all sales and that these records are confidential and are not public under G.S. 132.1.
- Adds a new section that would provide for persons exempt from obtaining a concealed handgun permit because of federal law to possess or carry a weapon on certain State property and in courthouses.
- Adds a new section that would provide an exception to the prohibition of concealed handguns at a parade or funeral procession on public properties for those with a valid permit or who are exempt from having a permit at such an event providing the person in legal possession or control of the property had not posted a notice prohibiting concealed weapons.
- Adds new section that would raise the punishment from a Class 2 to a Class 1 misdemeanor for a person with a concealed handgun permit to carry their weapon on a duly posted property or while consuming or having consumed alcohol.
- Adds a new section that would effectively repeal the pistol purchase permit system. **This section is opposed by the North Carolina Sheriffs' Association.**
- Adds a new section that would delete the language making it a defense for a person to show that a minor produced an apparently valid permit to receive a weapon, if such a permit would be required to transfer the weapon to an adult.
- Adds new language that would allow the governing body of a law enforcement agency to award a retiring member or surviving relative the side arm of the retiring or deceased member without securing a permit upon determination that the person receiving the weapon is not ineligible to own the weapon under State or federal law.
- Adds a new section that would require a sheriff to revoke a concealed handgun permit of any permittee who is adjudicated guilty of or receives a prayer for judgment continued for a crime which would have disqualified the permittee from receiving a permit.
- Adds a new section that would prohibit judges, magistrates, clerks of superior court or register of deeds who possess a concealed handgun permit from carrying a concealed weapon while consuming alcohol or an unlawful controlled substance.
- Adds a new section that would add district and superior court judges, magistrates, clerks of superior court and registers of deeds to the list of court officials who may carry a concealed handgun into a courthouse provided they have a concealed handgun permit.
- Adds a new section that would allow hunting with a suppressor that is lawfully possessed by a person in compliance with federal law. **This section is opposed by the North Carolina Sheriffs' Association.**
- Adds a new section that would amend the definition of law enforcement officers exempt from obtaining a permit for a concealed handgun from retired to separated to conform with federal law.

Adds a new section that would create the new status offense of armed habitual felon for any person convicted of one or more firearm related felonies and provides for separate punishment from the underlying felony firearm offense.

Date Prepared: June 21, 2013

HOUSE BILL 942, Discharge Firearm With Reckless Disregard, would create the criminal offense of discharging a firearm with reckless disregard and causing serious injury to another

person and make a violation of the offense punishable as a Class F felony. **Introduced by Representative Farmer-Butterfield.**

Date Prepared: April 12, 2013

HOUSE BILL 954, Increase Wildlife Resources License Fees, would increase nearly all fees for hunting and fishing licenses issued by the Wildlife Resources Commission and repeal the section of the law that authorizes a resident county hunting license. **Introduced by Representatives Moffitt, Murry, Wray and Howard, and referred to the House Committee on Agriculture.**

Date Prepared: April 19, 2013

This bill would increase nearly all fees for hunting and fishing licenses issued by the Wildlife Resources Commission and repeal the section of the law that authorizes a resident county hunting license. **Introduced by Representatives Moffitt, Murry, Wray and Howard, and referred to the House Committee on Agriculture.**

Date Prepared: April 19, 2013

HOUSE BILL 956, Regulate Ownership of Aggressive Dog Breeds, would provide for the regulation and permitting of the ownership of aggressive dog breeds including:

- 1) defining aggressive dog breeds as Pit Bulls and related breeds, Rottweiler, Mastiff, Chow, Perro de Presa Canario and wolf hybrids;
- 2) directing that prior to taking ownership of an aggressive breed dog an individual must:
  - a. submit to a criminal background check by the sheriff
  - b. enroll in a course of instruction of no less than 4 hours duration on the temperament and responsible ownership of the breed;
  - c. notifies their insurance carrier of compliance with the background check and education course; and
  - d. apply to the Department of Insurance for a special permit to possess a dog belonging to the aggressive dog breed;
- 3) directing the Department of Insurance to develop a program for issuing special permits to owners of an aggressive dog breed and shall deny permits to those they seem unsuitable for ownership or those that have not fully complied with the application process;
- 4) providing for a \$25 application fee for issuance of an aggressive dog permit; and
- 5) making it an infraction punishable by a penalty of up to \$50 for those owners not obtaining a permit through December 31, 2015 and a Class 3 misdemeanor effective January 1, 2105.

**Introduced by Representative Moore, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 19, 2013

This bill would provide for the regulation and permitting of the ownership of aggressive dog breeds including:

- 6) defining aggressive dog breeds as Pit Bulls and related breeds, Rottweiler, Mastiff, Chow, Perro de Presa Canario and wolf hybrids;
- 7) directing that prior to taking ownership of an aggressive breed dog an individual must:
  - e. submit to a criminal background check by the sheriff;

- f. enroll in a course of instruction of no less than 4 hours duration on the temperament and responsible ownership of the breed;
  - g. notify their insurance carrier of compliance with the background check and education course; and
  - h. apply to the Department of Insurance for a special permit to possess a dog belonging to the aggressive dog breed;
- 8) directing the Department of Insurance to develop a program for issuing special permits to owners of an aggressive dog breed and to deny permits to those they deem unsuitable for ownership or those that have not fully complied with the application process;
  - 9) providing for a \$25 application fee for issuance of an aggressive dog permit; and
  - 10) making it an infraction punishable by a penalty of up to \$50 for those owners not obtaining a permit through December 31, 2015 and a Class 3 misdemeanor effective January 1, 2016.

**Introduced by Representative Moore, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 19, 2013

HOUSE BILL 958, Compliance Dismissals/Fee, would provide supplemental funding for staffing in district attorneys' offices, clerks of superior court's offices, and the Highway Patrol and for training and officer safety to justice and law enforcement officers through the establishment of a compliance dismissal fee.

The bill would provide for a \$50 dismissal fee in cases in which a person charged with an offense of; no operator's license, registration violation, failure to notify DMV of a change of address, expired license, unsafe tires, inspection violations, no registration card, failure to comply with license restrictions, failure to obtain a commercial driver's license, allowing unlicensed person to drive, failure to notify DMV of change of address for registration or title, rearview mirror violations, child restraint violations, or motorcycle and moped helmet violations can provide proof of compliance to the district attorney in lieu of paying fines or making a court appearance.

The bill would further provide that the funds collected from the \$50 dismissal fee are to be deposited in a special non-reverting fund and distributed as follows:

- 1) 25% for the support of district attorney staff;
- 2) 25% for the support of clerks of superior court staff;
- 3) 20% to the Sheriffs Education and Training Standards Commission for use in providing training to all justice officers of the State and for awarding grants to sheriffs' offices for training or equipment specifically designed to enhance officer safety;
- 4) 20% to the Criminal Justice Education and Training Standards Commission for use in providing training to all law enforcement officers of the State and for awarding grants to law enforcement agencies for training or equipment specifically designed to enhance officer safety; and
- 5) 10% for the support of Highway Patrol staff.

**Introduced by Representatives McNeill, Faircloth, Stam and Glazier, and referred to the House Committee on Judiciary.**

Date Prepared: April 19, 2013

This bill would provide supplemental funding for staffing in district attorneys' offices, clerks of superior court's offices, and the State Highway Patrol and for training and officer safety to justice and law enforcement officers through the establishment of a compliance dismissal fee.

The bill would provide for a \$50 dismissal fee in cases in which a person charged with specified offenses can provide proof of compliance to the district attorney in lieu of paying fines or making a court appearance.

The offenses that would be covered by this bill are:

- 1) no operator's license,
- 2) registration violation,
- 3) failure to notify DMV of a change of address,
- 4) expired license,
- 5) unsafe tires,
- 6) inspection violations,
- 7) no registration card,
- 8) failure to comply with license restrictions,
- 9) failure to obtain a commercial driver's license,
- 10) allowing an unlicensed person to drive,
- 11) failure to notify DMV of change of address for registration or title,
- 12) rearview mirror violations,
- 13) child restraint violations, or
- 14) motorcycle and moped helmet violations.

The bill would further provide that the funds collected from the \$50 dismissal fee are to be deposited in a special non-reverting fund and distributed as follows:

- 1) 25% for the support of district attorneys staff;
- 2) 25% for the support of clerks of superior court staff;
- 3) 20% to the Sheriffs' Education and Training Standards Commission for use in providing training to all justice officers of the State and for awarding grants to sheriffs' offices for training or equipment specifically designed to enhance officer safety;
- 4) 20% to the Criminal Justice Education and Training Standards Commission for use in providing training to all law enforcement officers of the State and for awarding grants to law enforcement agencies for training or equipment specifically designed to enhance officer safety; and
- 5) 10% for the support of State Highway Patrol staff.

**Introduced by Representatives McNeill, Faircloth, Stam and Glazier, and referred to the House Judiciary Committee.**

Date Prepared: April 19, 2013

HOUSE BILL 963, Share Arrest Warrant Status/JDIG, would require the Department of Commerce to verify whether the chief executive officer (CEO) or chief financial officer (CFO) or an applicant for or recipient of a job development investment grant (JDIG) is a fleeing felon or

a probation or parole violator and to deny JDIG grants to an applicant either of whose CEO or CFO is a fleeing felon or a probation or parole violator. The bill further provides for the Department of Commerce to do criminal history background checks and sharing of any information gained from the background check with local law enforcement. **Introduced by Representatives Luebke, Holley, Harrison and Foushee, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 19, 2013

This bill would require the Department of Commerce to verify whether the chief executive officer (CEO) or chief financial officer (CFO) or an applicant for or recipient of a job development investment grant (JDIG) is a fleeing felon or a probation or parole violator and to deny JDIG grants to an applicant if either the CEO or CFO is a fleeing felon or a probation or parole violator. The bill further provides for the Department of Commerce to do criminal history background checks and sharing of any information gained from the background check with local law enforcement. **Introduced by Representatives Luebke, Holley, Harrison and Foushee, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 19, 2013

HOUSE BILL 974, Governor's Proposed Budget, would allocate funds for the biennium as recommended by Governor McCrory. The bill also provides for special provisions that direct the use of state funds. **Introduced by Representatives Dollar, Johnson, Holloway and Burr, and referred to the House Committee on Appropriations.**

Date Prepared: April 19, 2013

This bill would allocate funds for the 2013 – 2014 and 2014 – 2015 fiscal years as recommended by Governor McCrory. The bill also includes the Governor's recommended special provisions that direct the use of state funds in specific ways. **Introduced by Representatives Dollar, Johnson, Holloway and Burr, and referred to the House Committee on Appropriations.**

Date Prepared: April 19, 2013

HOUSE BILL 976, Gun Safety Act, would do the following:

- 1) repeal the laws on use of deadly physical force against an intruder otherwise known as "stand your ground";
- 2) make it Class 1 misdemeanor for a person who possesses a firearm who stores or leaves the firearm without having first securely locked the firearm in an appropriate safe storage device or with safety locking device;
- 3) require the seller of firearms to notify each purchaser of the law on safely securing firearms and to post the law in a conspicuous place in their store;
- 4) require the reporting of the theft of a firearm to law enforcement within 48 hours of discovering the loss and provide that it is a Class 3 misdemeanor for failure to report the theft;
- 5) require the sheriff to verify before issuing a pistol purchase permit that the person has the required firearm liability insurance;
- 6) require the sheriff to notify the National Instant Criminal Background Check system (NICS) when the sheriff denies a person's application for a pistol purchase permit and the



- reasons for the denial and to notify NICS when the sheriff denies, revokes or refuses to renew a concealed handgun permit;
- 7) require a background check for the private transfer of firearms;
  - 8) require the clerk of superior court to report court orders regarding mental incapacity and substance abuse to the State Bureau of Investigation (SBI) including; (i) the name of each person who has been adjudicated incompetent and a guardian appointed, (ii) the name of each person who has been committed for substance abuse by order of the court, and (iii) the name of each person that the court has entered an order for involuntary commitment;
  - 9) provide for a restoration of gun rights for those persons whose names are entered into NICS;
  - 10) provide for the SBI to be the State point of contact for implementation of the federal regulations and guidelines on firearms and NICS;
  - 11) provide that the SBI shall perform the instant criminal history background check in connection with the prospective transfer of a firearm and deny the transfer if the transfer would violate federal or state law including not having obtained firearm liability insurance;
  - 12) require that the SBI impose a fee for the instant criminal background check that shall not exceed the direct and indirect costs for performing the check;
  - 13) require all gun dealers to keep records of each pistol or revolver sold, rented or exchanged at retail with the records open to the inspection by law enforcement;
  - 14) require all firearm owners to obtain and continuously maintain \$100,000 of liability insurance specifically covering any damages resulting for any negligent or willful acts involving the use a firearm;
  - 15) make it a Class 2 misdemeanor to sell, transfer, or possess a large-capacity magazine but make an exception for person owning the large-capacity magazine on December 1, 2013;
  - 16) require large-capacity magazines made in North Carolina on or after December 1, 2013 to be date stamped; and
  - 17) require the state to divest itself of any direct and indirect holdings in firearms manufacturers.

**Introduced by Representatives Luebke, Harrison, Insko and Adams, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 19, 2013

This bill would do the following:

- 18) repeal the laws on use of deadly physical force against an intruder otherwise known as “stand your ground”;
- 19) make it Class 1 misdemeanor for a person to store or leave the firearm without having first securely locked the firearm in an appropriate safe storage device or with safety locking device;
- 20) require the seller of firearms to notify each purchaser of the law on safely securing firearms and to post the law in a conspicuous place in their store;
- 21) require the reporting of the theft of a firearm to law enforcement within 48 hours of discovering the loss and would make it a Class 3 misdemeanor for failure to report the theft;

- 22) require the sheriff to verify before issuing a pistol purchase permit that the person has the required firearm liability insurance;
- 23) require the sheriff to notify the National Instant Criminal Background Check system (NICS) when the sheriff denies a person's application for a pistol purchase permit and the reasons for the denial and to notify NICS when the sheriff denies, revokes or refuses to renew a concealed handgun permit;
- 24) require a background check for the private transfer of firearms;
- 25) require the clerk of superior court to report court orders regarding mental incapacity and substance abuse to the State Bureau of Investigation (SBI) including; (i) the name of each person who has been adjudicated incompetent and had a guardian appointed, (ii) the name of each person who has been committed for substance abuse by order of the court, and (iii) the name of each person for whom the court has entered an order of involuntary commitment;
- 26) provide for a removal process for persons whose names are entered into NICS;
- 27) provide for the SBI to be the State point of contact for implementation of the federal regulations and guidelines on firearms and NICS;
- 28) provide that the SBI shall perform the instant criminal history background check in connection with the prospective transfer of a firearm and deny the transfer if the transfer would violate federal or state law including not having obtained firearm liability insurance;
- 29) require that the SBI impose a fee for the instant criminal background check that shall not exceed the direct and indirect costs for performing the check;
- 30) require all gun dealers to keep records of each pistol or revolver sold, rented or exchanged at retail with the records open to inspection by law enforcement;
- 31) require all firearm owners to obtain and continuously maintain \$100,000 of liability insurance specifically covering any damages resulting from any negligent or willful acts involving the use a firearm;
- 32) make it a Class 2 misdemeanor to sell, transfer, or possess a large-capacity magazine but make an exception for person owning the large-capacity magazine on December 1, 2013;
- 33) require large-capacity magazines made in North Carolina on or after December 1, 2013 to be date stamped; and
- 34) require the state to divest itself of any direct and indirect holdings in firearms manufacturers.

**Introduced by Representatives Luebke, Harrison, Insko and Adams, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 19, 2013

HOUSE BILL 987, Emergency Stun Gun Use by School Personnel, would allow a public school employee who had received a school crisis and safety training from the Department of Public Instruction to carry a stun gun in accordance with policies adopted by the local board of education. **Introduced by Representatives Riddell and Saine, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 19, 2013

This bill would allow a public school employee who has received school crisis and safety training from the Department of Public Instruction to carry a stun gun in accordance with policies adopted by the local board of education. **Introduced by Representatives Riddell and Saine, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

Date Prepared: April 19, 2013

HOUSE BILL 992, Phoebe's Law, would provide for a pilot program authorizing the Department of Transportation to use electronic speed-measuring systems to detect speed limit violations in highway work zones and school zones. **Introduced by Representatives Murry, Horn, Whitmire and Glazier, and referred to the House Committee on Judiciary Subcommittee A.**

Date Prepared: April 19, 2013

This bill would provide for a pilot program authorizing the Department of Transportation to use electronic speed-measuring systems to detect speed limit violations in highway work zones and school zones. **Introduced by Representatives Murry, Horn, Whitmire and Glazier, and referred to the House Judiciary Subcommittee A.**

Date Prepared: April 19, 2013

## **BILLS FROM THE SENATE**

SENATE BILL 3, Western Crime Lab Funds/Amend Evidence Laws, would appropriate \$14 million for the construction of a Western Regional Crime Laboratory to be located on the North Carolina Justice Academy's western campus in Edneyville. \$1.9 million would be appropriated to establish 19 positions within the Western Regional Crime Laboratory when construction is completed. The bill would also require the admission of an analyst's lab report and affidavit without the analyst's testimony if no written objection is filed. **Introduced by Senator Apodaca, and referred to the Senate Committee on Appropriations.**

Date Prepared: February 01, 2013

SENATE JOINT RESOLUTION 7, Honor Don East, honors the life and memory of former Senator Don East who spent 20 years in law enforcement serving in the Winston Salem Police Department. **Introduced by Senators Randleman, Berger and Apodaca, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: February 01, 2013

SENATE BILL 8, Increase Fine for Vehicle Removal, would increase the fine from no less than \$100 dollars to no less than \$150 dollars for removal of a vehicle from private property. **Introduced by Senator Meredith, and referred to the Senate Committee on Finance.**

Date Prepared: February 01, 2013

This bill has been approved by the Senate and sent to the House for consideration.

Date Prepared: March 22, 2013

This bill has been scheduled for a vote in the House on Monday, June 17.  
Date Prepared: June 14, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.  
Date Prepared: June 21, 2013

SENATE BILL 10, Eliminate Obsolete Boards and Commissions, would repeal or terminate various boards and commissions including the Board of Correction. **Introduced by Senators Apodaca, Hunt and Rabon, and referred to the Senate Committee on Rules and Operations of the Senate.**  
Date Prepared: February 01, 2013

This bill was amended to eliminate all twelve special superior court judge positions. Another amendment to the bill added two at-large members to the Board of Transportation. This bill has passed the Senate and will next be considered by the House.  
Date Prepared: February 08, 2013

This bill The conference committees for both chambers have been dismissed. These committees were assigned to reach an agreement on the various versions of the bill. Based on this action, this bill is not likely to be considered any further this legislation session.  
Date Prepared: May 03, 2013

This bill The conference committees for both chambers have been dismissed. These committees were assigned to reach an agreement on the various versions of the bill. Based on this action, this bill is not likely to be considered any further this legislative session.  
Date Prepared: May 03, 2013

SENATE BILL 16, Revoke License for Passing Stopped School Bus, would require the Division of Motor Vehicles to revoke a person's drivers license for failing to stop for or attempting to pass properly marked and designated school buses. **Introduced by Senator Bingham, and referred to the Senate Judiciary II Committee.**  
Date Prepared: February 01, 2013

This bill has been approved by the Senate and will next be considered by the House.  
Date Prepared: March 01, 2013

This bill was referred to the House Committee on Transportation.  
Date Prepared: March 08, 2013

SENATE BILL 17, Concealed Carry Permits Validity, would make a concealed handgun permit issued by a state to a nonresident of that state invalid in North Carolina. **Introduced by Senator Bingham, and referred to the Senate Judiciary II Committee.**  
Date Prepared: February 01, 2013

SENATE BILL 18, Amend Locksmith License Act/Raise Fee Ceiling, would make various changes to the Locksmith License Act. The bill would provide that a law enforcement agency, fire department, or other government agency may unlock a door to a vehicle, home, or business only in a life threatening emergency or during the investigation of a crime. **Introduced by Senator Bingham, and referred to the Senate Committee on Finance.**

Date Prepared: February 01, 2013

This bill has passed the Senate and has been sent to the House for consideration. **At the request of the North Carolina Sheriffs' Association**, a provision that would have prohibited law enforcement from unlocking residences, businesses and vehicles in nonemergency situations was removed from the bill.

Date Prepared: June 21, 2013

This bill has passed the Senate and has been assigned to the House Committee on Finance.

Date Prepared: June 28, 2013

SENATE BILL 20, Good Samaritan Law/Naloxone Access, would limit a person who seeks medical assistance for themselves or for another person experiencing a drug related overdose from being prosecuted for certain violations if the evidence for prosecution was obtained due to seeking medical assistance. The bill would provide immunity from any civil or criminal liability to practitioners who in good faith prescribe or distribute an opioid antagonist, naloxone hydrochloride, for the treatment of a drug overdose to 1) a person at risk of experiencing an opiate-related overdose or 2) a family member, friend, or other person in a position to assist a person at risk of experiencing an opiate-related overdose. Further, the bill provides immunity to any person who receives an opioid antagonist prescribed by a practitioner and who administers the opioid antagonist to another. **Introduced by Senators Bingham and Allran, and referred to the Senate Judiciary II Committee.**

Date Prepared: February 01, 2013

This bill was approved by the Senate and was sent to the House for consideration and assigned to the House Judiciary Committee B. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: March 08, 2013

This bill has been placed on the House calendar for a vote on March 26. This bill is supported by the North Carolina Sheriffs' Association.

Date Prepared: March 22, 2013

This bill has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

Date Prepared: April 05, 2013

SENATE BILL 21, Permanent License Plates for Churches, would allow the Division of Motor Vehicles to issue permanent license plates for a bus owned by a church that is used exclusively for transporting individuals to Sunday school, to church services, and to other church related

activities. **Introduced by Senator Bingham, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: February 01, 2013

SENATE BILL 25, Hunting & Fishing/Active Duty Military, has passed the Senate and been sent to the House for consideration.

Date Prepared: May 17, 2013

This bill has been scheduled for a vote in the House on Monday, June 17.

Date Prepared: June 14, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 21, 2013

SENATE BILL 27, Public School Protection/Firearm Amendments, would allow certain persons certified by the North Carolina Criminal Justice Education and Training Standards Commission and designated by a local board of education or board of directors of a charter school as “school safety marshals” to possess and carry firearms on educational property to provide additional protection to those attending and working in public schools. The bill would also direct the Commission to work with the State Board of Education to develop a school crisis and emergency management response program to train school safety marshals. **Introduced by Senator Bingham, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: February 08, 2013

SENATE BILL 28, Gun Permit Information/No Publication, would order that a sheriff maintain as confidential: (a) the list of persons who are issued a concealed handgun permit or a pistol purchase permit; and (b) the information collected by the sheriff to process an application for a concealed handgun permit or a pistol purchase permit.

However, the sheriff would still have to provide the list to state and local law enforcement officials upon request as the law currently states. The bill would also direct the State Bureau of Investigation to make the list of permit holders and the information collected by the sheriff to process an application for a concealed handgun permit or a pistol purchase permit available to law enforcement officers on a statewide system but not make it available to clerks of court. Further the bill would require the sheriff and the SBI to make the list of permit holders and permit application information available in response to a subpoena or court order. **Introduced by Senator Bingham, and referred to the Senate Judiciary II Committee.**

Date Prepared: February 08, 2013

SENATE BILL 33, Use of Criminal History Records by Licensing Boards, would require that occupational licensing boards consider certain factors before automatically denying licenses to applicants with criminal records, unless the law governing the particular board requires otherwise.

Factors to be considered would include: the level and seriousness of the crime, the date of the crime, the age of the person at the time of the crime, the circumstances surrounding the commission of the crime, any connection to the criminal conduct and the duties of the applicant as a licensee, records of the applicant related to prison, jail, probation, parole and employment since the crime was committed, and the subsequent commission of a crime by the applicant. The bill would also allow for denial of a license to an applicant who refuses to consent to a criminal history record check or who refuses to be fingerprinted. **Introduced by Senator Hartsell, and referred to the Senate Judiciary II Committee.**

Date Prepared: February 08, 2013

This bill was approved by the Senate and was sent to the House for consideration and assigned to the House Judiciary Committee C.

Date Prepared: March 08, 2013

This bill has been placed on the House calendar for a vote on March 26.

Date Prepared: March 22, 2013

This bill has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

Date Prepared: April 05, 2013

SENATE JOINT RESOLUTION 35, Honor Ed Jones. This bill is identical to House Joint Resolution 46 which is summarized above in this week's Weekly Legislative Report.

**Introduced by Senators Bryant, Davis and Jenkins, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: February 08, 2013

SENATE BILL 37, PED Study Occupational Licensing Boards Agency, would direct the Program Evaluation Division (PED) of the General Assembly to study the various independent occupational licensing boards to consider the feasibility of creating a single state agency to oversee the administration of the boards. This bill would apply to the North Carolina Sheriffs' Education and Training Standards Commission and the North Carolina Criminal Justice Education and Training Standards Commission. **Introduced by Senator Hartsell, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: February 22, 2013

SENATE BILL 38, Various Emergency Management Changes, is identical to House Bill 15 summarized in last week's Weekly Legislative Report. This bill would amend various sections of Chapter 20 to allow vehicles operated by the Division of Parks and Recreation of the Department of Environment and Natural Resources or by the NC Forest Service of the Department of Agriculture and Consumer Services to be equipped with and operate with special lights and sirens as currently provided for other local and state emergency vehicles. **Introduced by Senator Jackson, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**

Date Prepared: February 08, 2013

This bill was approved by the House and has been sent to the Senate for consideration.  
Date Prepared: March 15, 2013

SENATE BILL 39, Restore Partisan Judicial Elections, is identical to House Bill 65 summarized above in this week's Weekly Legislative Report. **Introduced by Senators Tillman and Goolsby, and referred to the Senate Committee on Rules and Operations of the Senate.**  
Date Prepared: February 08, 2013

SENATE BILL 45, Incapacity to Proceed Amendments, would amend the laws governing incapacity to proceed to:

- 1) clarify that a court may appoint a medical expert to: (a) examine a defendant charged with a misdemeanor or felony; and (b) return a report on the defendant's mental health to the court. The court may then call the expert to testify at the hearing, with or without the request of either party. Current law only allows the expert to be called to testify upon the request of either party.
- 2) permit the court at any time in the case of a defendant charged with a felony to order the defendant to a state mental health facility to determine the defendant's capacity to proceed to trial and would remove the current provision that makes this apply to defendants with misdemeanors.
- 3) require a judge ordering an examination of a defendant to order the release of confidential information such as the warrant or indictment, arrest records, the law enforcement incident report, the defendant's criminal record, and jail records to the appointed medical expert examining the defendant to determine if the defendant has the capacity to proceed to trial.
- 4) require the clerk of court to send a copy of any report made to the court regarding capacity to proceed to trial to the sheriff if the defendant is being held in the custody of the sheriff. The sheriff and the sheriff's personnel must maintain the copy as a confidential record.
- 5) require the court to order that a defendant be examined to determine whether the defendant has the capacity to proceed to trial prior to release from custody.
- 6) require that if an individual has been determined to have gained capacity to proceed to trial, then the mental health institution shall provide notification to the clerk of court who will notify the sheriff. The sheriff will return the defendant to the county for a supplemental court hearing to determine whether or not the defendant can stand trial.

**Introduced by Senator Randleman, and referred to the Senate Judiciary I Committee.**  
Date Prepared: February 08, 2013

This bill was approved by the Senate and sent to the House for consideration. **This bill is supported by the North Carolina Sheriffs' Association.**  
Date Prepared: March 08, 2013

This bill has been placed on the House calendar for a vote on March 19. **This bill is supported by the North Carolina Sheriffs' Association.**  
Date Prepared: March 15, 2013



This bill has been placed on the House calendar for a vote on March 25. This bill is supported by the North Carolina Sheriffs' Association.

Date Prepared: March 22, 2013

SENATE BILL 59, Armed Security Guards in K-12, would allow for armed security guards at all public schools, who meet the training criteria set by the North Carolina Criminal Justice Education and Training Standards Commission. The local school board would have discretion for the armed security guard to be a school resource officer, school volunteer, school employee, or a person who otherwise would qualify on the same standards. If a person is not a certified law enforcement officer, they would be required to complete an approved firearms safety training course developed by the North Carolina Sheriffs' Education and Training Standards Commission and administered by the county sheriff's office in the county where the school is located. The course would be required to focus on the use of firearms in a crisis situation involving actual firing of firearms where unarmed bystanders are involved. **Introduced by Senator Rabin, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: February 08, 2013

SENATE BILL 60, The Opossum Right-to-Work Act, is identical to House Bill 66 summarized above in this week's Weekly Legislative Report. **Introduced by Senators Davis and Bingham, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: February 22, 2013

SENATE BILL 61, Nuclear Security Guards No Liability, would enact a new General Statute which would provide that a nuclear security officer, the employer of such officer, or the owner of a nuclear generating facility is not liable under state law if the officer makes an arrest or uses force, including deadly force, that complies with applicable federal regulations. The bill language specifies that the provision does not justify excessive force or willful, malicious, or criminally negligent conduct that injures or endangers any person or property. **Introduced by Senator Curtis, and referred to the Senate Judiciary II Committee.**

Date Prepared: February 15, 2013

SENATE BILL 69, Law Enforcement Officers Memorial Plate, would authorize the Division of Motor Vehicles to produce a National Law Enforcement Officers Memorial special registration plate. **Introduced by Senators Brunstetter, Apodaca and Brock, and referred to the Senate Committee on Finance.**

Date Prepared: February 15, 2013

SENATE BILL 70, Kilah's Law Increase Child Abuse Penalties, this bill is identical to House Bill 75 which was summarized in last week's Weekly Legislative Report. **Introduced by Senators Tarte, Tucker and Curtis, and referred to the Senate Judiciary II Committee.**

Date Prepared: February 15, 2013

This bill was approved by the Senate Judiciary II Committee and was referred to the Senate Committee on Appropriations/Base Budget.

Date Prepared: March 01, 2013

SENATE BILL 80, Cleveland/Polk/Rutherford Trapping Repeal, would allow the use of steel traps on certain rented or leased land in Cleveland, Polk, and Rutherford counties by repealing the current law that prohibits such practice. **Introduced by Senators Hise and Daniel, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: February 15, 2013

SENATE BILL 82, Eliminate Straight Ticket, would repeal the General Statute that allows straight-party voting. **Introduced by Senator Newton, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: February 22, 2013

SENATE BILL 86, Permanent License Plates for REACT, would authorize the Division of Motor Vehicles to produce a REACT (Radio Emergency Associated Communications Teams) special registration plate. **Introduced by Senator Daniel, and referred to the Senate Committee on Finance.**

Date Prepared: February 15, 2013

SENATE BILL 91, Prohibit Expunction Inquiry, would prohibit any employer or educational institution, or state or local government agency from requesting information from an applicant for employment or admission in any application or interview regarding an arrest, criminal charge, or criminal conviction that has been expunged. Further, an applicant would not have to make reference to or provide any information concerning arrests, charges, or convictions that have been expunged in answer to any question.

The bill would also prohibit any state or local government agencies, officials, and employees from requiring any applicant for a license, permit, registration, or governmental service to disclose information related to any arrest, criminal charge, or conviction that has been expunged and would provide that no application will be denied solely because the applicant refuses or fails to disclose the above information. **Introduced by Senators Daniel, Goolsby and Kinnaird, and referred to the Senate Judiciary II Committee.**

Date Prepared: February 22, 2013

This bill was approved by the Senate and sent to the House for consideration and assigned to the House Judiciary Subcommittee A. **At the request of the North Carolina Sheriffs' Association**, the bill was amended to provide for an exemption for the North Carolina Criminal Justice Education and Training Standards Commission, North Carolina Sheriffs' Education and Training Standards Commission and state and local law enforcement.

Date Prepared: March 08, 2013

This bill has been placed on the House calendar.

Date Prepared: April 05, 2013

This bill Senate failed to concur on the House version and the bill has been sent to a conference committee to work out the differences.

Date Prepared: April 19, 2013

This bill The Senate failed to concur with the House version and the bill has been sent to a conference committee to work out the differences.

Date Prepared: April 19, 2013

This bill has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

Date Prepared: May 10, 2013

SENATE BILL 100, EMS Immunity From Civil Liability, would provide that all emergency medical personnel as defined in G.S. 131E-155 shall not be liable for damages for personal injury or death alleged to have been sustained as a result of acts or omissions in the performance of their duties unless it is established that the injury or death was caused by gross negligence, wanton conduct or intentional wrongdoing on the part of the emergency medical personnel.

**Introduced by Senator Gunn, and referred to the Senate Committee on Judiciary I.**

Date Prepared: February 22, 2013

SENATE BILL 101, General Statutes Commission Technical Corrections 2013, is identical to House Bill 92 which was summarized in last week's Weekly Legislative Report. **Introduced by Senator Hartsell, and referred to the Senate Committee on Judiciary II.**

Date Prepared: February 22, 2013

SENATE BILL 105, Clarify Political Sign Ordinance Authority, would provide that local ordinances enacted by municipalities that prohibit or regulate political signs on street right-of-ways maintained by the municipality would also apply to highways within the corporate limits of the municipality. **Introduced by Senator Tillman, and referred to the Senate Committee on Transportation.**

Date Prepared: February 22, 2013

SENATE BILL 115, Pancreatic Cancer Awareness Special Plate, would authorize the Division of Motor Vehicles to produce a pancreatic cancer awareness special registration plate. **Introduced by Senator Tarte, and referred to the Senate Committee on Finance.**

Date Prepared: February 22, 2013

SENATE BILL 116, YMCA Special Plate, would allow the Division of Motor Vehicles to create a specialized license plate for the YMCA which would bear the YMCA logo and the letters SA. **Introduced by Senator Gunn, and referred to the Senate Committee on Finance.**

Date Prepared: February 22, 2013

SENATE BILL 117, Lily's Law, would provide that when a child is born alive but dies as a result of injuries inflicted before being born, the actions that caused the fatal injuries constitute murder in the first or second degree. **Introduced by Senators Gunn, Daniel and Randleman, and referred to the Senate Committee on Judiciary II.**

Date Prepared: February 22, 2013

This bill was approved by the Senate and was sent to the House for consideration.

Date Prepared: March 15, 2013

This bill has passed Senate Judiciary Subcommittee B and been referred to the Senate Committee on Appropriations.

Date Prepared: April 05, 2013

This bill Senate failed to concur on the House version and the bill has been sent to a conference committee to work out the differences.

Date Prepared: April 19, 2013

This bill The Senate failed to concur with the House version and the bill has been sent to a conference committee to work out the differences.

Date Prepared: April 19, 2013

This bill has been scheduled for a concurrence vote in both the House and Senate on Tuesday, April 30.

Date Prepared: April 26, 2013

This bill The Senate adopted the conference report.

Date Prepared: May 03, 2013

This bill has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

Date Prepared: May 03, 2013

SENATE BILL 122, Sex Trafficking/Sex Offender Registration, would add Human Trafficking offenses to the list of criminal convictions that require registration under the Sex Offender and Public Protection Registration Program. **Introduced by Senators Goolsby, Bingham and Newton, and referred to the Senate Committee on Judiciary I.**

Date Prepared: February 22, 2013

This bill was approved by the Senate Committee on Judiciary I with only a technical change.

Date Prepared: March 01, 2013

This bill was approved by the Senate and sent to the House for consideration and assigned to the House Judiciary Subcommittee B.

Date Prepared: March 08, 2013

This bill has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

Date Prepared: April 19, 2013

This bill has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

Date Prepared: April 19, 2013

SENATE BILL 123, Clarify Sex Offender Residence Law, would clarify by placing into the law that the prohibition against sex offenders residing within 1,000 feet of a school only applies to those registered sex offenders who established residency after August 16, 2006. **Introduced by Senator Meredith, and referred to the Senate Judiciary II Committee.**

Date Prepared: March 01, 2013

This bill has passed the Senate Judiciary II Committee.

Date Prepared: March 08, 2013

This bill has been approved by the Senate and has been sent to the House Judiciary Subcommittee C. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: March 15, 2013

This bill has been approved by the General Assembly and sent to Governor Pat McCrory for his signature.

Date Prepared: April 05, 2013

SENATE BILL 124, Shoot Gun From Inside/To Harm or Incite Fear, would create a new Class E felony for someone who willfully or wantonly discharges or attempts to discharge a firearm within any building, structure, motor vehicle, or other conveyance or enclosure with the intent to do harm or incite fear. This differs from current law that requires a pattern of criminal street gang activity as an element of the crime. **Introduced by Senator Brunstetter, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 01, 2013

This bill has passed the Senate and has been sent to the House for consideration.

Date Prepared: April 12, 2013

This bill has passed the House and will be returned to the Senate for consideration of the House changes. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: June 07, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: June 14, 2013

SENATE BILL 125, Public Meeting/Records Law Violations, would make it a Class 3 misdemeanor to deny access to public records or prevent copying of them. The bill would also make any violation of the Open Meetings Act a Class 3 misdemeanor. **Introduced by Senators Goolsby and Apodaca, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 01, 2013

SENATE BILL 126, Trapper Identification Numbers, would provide an alternative to the identification requirements for lawful steel-jaw, leghold, or conibear traps to include the trapper's identification number as issued by the Wildlife Resources Commission. **Introduced by Senator**

**Meredith, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**

Date Prepared: March 01, 2013

SENATE BILL 131, State Highway Patrol/Retention Bonuses, would direct the Department of Public Safety to use up to \$1,672,413 from its 2013-2014 budget to provide one-time bonuses to members of the Highway Patrol in amounts ranging from \$900 to \$4,700. **Introduced by Senator Tucker, and referred to the Senate Committee on Appropriations/Base Budget.**

Date Prepared: March 01, 2013

SENATE BILL 135, Modify Habitual Impaired Driving Statute, would redefine Habitual Impaired Driving as three or more offenses of driving while impaired regardless of the period of time in which the offenses were committed (currently 3 or more offenses within a 10 year period). **Introduced by Senator Brunstetter, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 01, 2013

SENATE BILL 140, Financial Exploitation of Older Adults, would do the following:

- 1) define *elder adult* as any person 60 or older and remove the requirement that the person lack the ability to safeguard his or her rights or resources and make it a crime to obtain or use an elder or disabled adult's resources by deception or intimidation;
- 2) remove the requirement that the perpetrator of financial exploitation knows the victim lacks the capacity to consent;
- 3) allow access to financial records by a county department of social services director or law enforcement agency investigating a credible report of financial exploitation following specified notice to the financial institution; and
- 4) require financial institutions to provide financial records of a disabled adult customer to county departments of social services following specified notice of an investigation of financial exploitation.

**Introduced by Senator Bingham, and referred to the Senate Committee on Health Care.**

Date Prepared: March 01, 2013

This bill has passed the Senate and has been sent to the House for consideration.

Date Prepared: April 12, 2013

SENATE BILL 142, Towns Enforce Ordinances on Lake Norman, is identical to House Bill 186 summarized earlier in this report. **Introduced by Senator Tarte, and referred to the Senate Committee on State and Local Government.**

Date Prepared: March 08, 2013

SENATE BILL 143, NC FIRST Robotics Special Plate, would authorize DMV to issue a specialized license plate bearing the logo of NC FIRST Robotics and the phrase "NC FIRST Robotics." **Introduced by Senator Tarte, and referred to the Senate Committee on Finance.**

Date Prepared: March 01, 2013

SENATE BILL 146, Private Schools/Firearms Amendments, would exempt employees or volunteers of private schools from criminal liability and the ban on carrying concealed weapons on educational property or during extracurricular/curricular activities when they meet the following criteria:

- 1) the person has written authorization from the school board of trustees or the school administrative director to carry a concealed weapon;
- 2) the weapon is a firearm, stun gun, or tear gas;
- 3) the person has a valid concealed handgun permit;
- 4) the person completes an additional minimum of eight hours of National Rifle Association certified instructor supervised courses relating to gun safety and the appropriate use of firearms annually;
- 5) the private school adopts and maintains written standard operating procedures for the carrying of approved concealed weapons on the educational property and distributes the standards annually to parents; and
- 6) the person is on the premises of the educational property operated by the private school at which the person is an employee or a volunteer.

The bill would also allow individuals that have a valid concealed handgun permit to carry a handgun while they are in a place of religious worship located on educational property while the person is attending religious services. **Introduced by Senators Bingham, Brock and Hise, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 01, 2013

SENATE BILL 164, Autopsy Fee Increase, would increase the fee charged to counties for an autopsy conducted by the Chief Medical Examiner from \$1,000 to \$1,500. This fee only applies if the deceased is a resident of the county in which the death or fatal injury occurred.

**Introduced by Senator Parmon, and referred to the Senate Committee on Finance.**

Date Prepared: March 08, 2013

SENATE BILL 182, Limit Appeals to Superior Court, would provide that an appeal of a guilty or a no contest plea to a misdemeanor in District Court and also convictions for an infraction in District Court would be appealed to the Court of Appeals and not Superior Court. The bill would also provide that probation violations heard in District Court would be appealed to the Court of Appeals and not Superior Court.

The bill would repeal the statute that prohibits the Superior Court from imposing a more severe penalty in cases that are appealed from District Court (for a new trial).

Also, the bill would provide that the statutes relating to the rights of defendants in guilty pleas in superior court are applicable to misdemeanor guilty pleas entered in district court, including the making and preserving of a record of proceedings. **Introduced by Senator Brunstetter, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 08, 2013

This bill has passed the Senate and been sent to the House for consideration.  
Date Prepared: May 17, 2013

SENATE BILL 186, Notice Publication by Counties and Cities, would provide that local governing boards may adopt an ordinance to allow the use of electronic means to publish any notice they are now required to publish. **Introduced by Senators Wade and Brock, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: March 08, 2013

SENATE BILL 190, Gun on Educational Property/Stored in Locked Car, would provide that an adult with a valid concealed handgun permit may bring a handgun onto school property provided the handgun is in a closed compartment or container in a locked vehicle or is in a locked container securely affixed to the vehicle and that the handgun can only be removed from the locked container solely to defend lives from a violent attack on the educational property.

**Introduced by Senators Cook and Brock, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: March 08, 2013

SENATE BILL 194, Eliminate Safety Inspection/Emission Inspection Required, is identical to House Bill 59 which was summarized in the February 8 Weekly Legislative Report. **Introduced by Senator Hartsell, and referred to the Senate Committee on Commerce.**

Date Prepared: March 08, 2013

SENATE BILL 200, Extend Time For Forensic Certification, would provide a seven year extension of time (now July 1, 2013) to obtain required certification for local forensic science laboratories and forensic scientists who do analysis for admission in court. **Introduced by Senators Bingham, Goolsby and Newton, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 08, 2013

This bill has been approved by the Senate and sent to the House for consideration.  
Date Prepared: March 22, 2013

SENATE BILL 201, Allow Hunting With Silencers, would repeal the statute which makes it a Class 1 misdemeanor to hunt wildlife with or in the possession of a silencer or any device designed to muffle the sound of the firearm. **Introduced by Senator Randleman, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**

Date Prepared: March 08, 2013

This bill has passed the Senate Judiciary Committee I. **This bill is opposed by the North Carolina Sheriffs' Association.**

Date Prepared: April 19, 2013

This bill has passed the Senate and been sent to the House for consideration. **This bill is opposed by the North Carolina Sheriffs' Association.**

Date Prepared: April 26, 2013



This bill has passed the Senate and been referred to the House Committee on Agriculture. **This bill is opposed by the North Carolina Sheriffs' Association** because

Date Prepared: May 03, 2013

This bill has passed the Senate and been referred to the House Committee on Agriculture. **This bill is opposed by the North Carolina Sheriffs' Association** because the bill could lead to an increased supply of suppressors and silencers which could be stolen and/or used for illegal purposes, and suppressors make it extremely difficult to determine from which direction a shot is fired.

Date Prepared: May 03, 2013

**SENATE BILL 206, Strengthen Controlled Substance Reporting System**, would require the Department of Health and Human Services to modify the electronic Controlled Substances Reporting System (CSRS) to allow for real-time prescription information. The bill would also provide that dispensers must report to the CSRS prescriptions filled within 24 hours (now 7 days). The bill would also require prescribers and dispensers to review a patient's record for the past 12 months to determine if the prescription is medically necessary and appropriate.

**Introduced by Senator Davis, and referred to the Senate Committee on Rules and Operation of the Senate.**

Date Prepared: March 08, 2013

This bill has passed the Senate Judiciary II committee and been referred to the Senate Committee on Health Care.

Date Prepared: April 12, 2013

**SENATE BILL 210, Authorize Chief Magistrates**, would provide that in the discretion of the chief district court judge a chief magistrate may be designated to serve an indefinite term and with administrative duties as assigned. **Introduced by Senators Parmon and Brunstetter, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 08, 2013

This bill has passed the Senate and been sent to the House for consideration.

Date Prepared: May 17, 2013

This bill has passed the Senate and been assigned to the House Judiciary Subcommittee C.

Date Prepared: May 24, 2013

This bill has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 07, 2013

This bill has been signed by Governor Pat McCrory and became effective June 12, 2013.

Date Prepared: June 14, 2013

**SENATE BILL 213, Parole Commission Voting**, would provide that any action or decision of the parole commission could be decided by a majority vote of a 3-member panel of commission

members in lieu of a vote of the entire commission membership. **Introduced by Senator Apodaca, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 08, 2013

SENATE BILL 222, Revise Controlled Substances Reporting, is identical to House Bill 173 which was summarized in last week's Weekly Legislative Report. **Introduced by Senators Allran and Bingham, and referred to the Senate Committee on Health Care.**

Date Prepared: March 08, 2013

This bill has passed the Senate and referred to the House Judiciary Subcommittee B.

Date Prepared: April 19, 2013

This bill has passed the Senate and been referred to the House Judiciary Subcommittee B.

Date Prepared: April 19, 2013

This bill has passed the House Judiciary Subcommittee B and been assigned to the House Committee on Health and Human Services.

Date Prepared: May 24, 2013

This bill has been reassigned to the House Committee on Health and Human Services.

Date Prepared: May 31, 2013

This bill has been scheduled for a vote in the House on Tuesday, June 11. The bill was amended **at the request of the North Carolina Sheriffs' Association** to allow sheriffs to have access to the Controlled Substances Reporting System. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: June 07, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: June 14, 2013

This bill has been signed by Governor Pat McCrory and certain sections of the bill become effective January 1, 2014. Section 3 of this Act allows a sheriff or designated deputy sheriff access to the Control Substance Reporting System (CSRS) by a lawful court order. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: June 21, 2013

SENATE BILL 224, Sunday Hunting on Private Land, would allow a person to hunt on privately owned land on a Sunday if it is their own property, or if the person has written permission from the property owner. **Introduced by Senator Newton, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**

Date Prepared: March 08, 2013

SENATE BILL 234, Hunter Education/Apprentice Permit, is identical to House Bill 296 summarized above in this week's Weekly Legislative Report. **Introduced by Senator Newton, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**  
Date Prepared: March 15, 2013

This bill has passed the Senate and has been sent to the House for consideration.  
Date Prepared: April 12, 2013

SENATE BILL 235, Voter Protection Integrity/Every Vote Counts, is identical to House Bill 253 summarized above in this week's Weekly Legislative Report. **Introduced by Senators Clark and Ford, and referred to the Senate Committee on Rules and Operations of the Senate.**  
Date Prepared: March 15, 2013

SENATE BILL 252, Increase Penalty/Controlled Substance Crimes, would change the penalty for an intentional violation of the Controlled Substances Act from being a Class I felony to a Class G felony. **Introduced by Senator Davis, and referred to the Senate Judiciary II Committee.**  
Date Prepared: March 15, 2013

This bill has passed the Senate and been sent to the House for consideration.  
Date Prepared: May 10, 2013

This bill has passed the Senate and been assigned to the House Judiciary Subcommittee B.  
Date Prepared: May 17, 2013

This bill has been sent to Governor Pat McCrory for his signature.  
Date Prepared: June 07, 2013

This bill has been signed by Governor Pat McCrory and will become effective December 1, 2013.  
Date Prepared: June 14, 2013

SENATE BILL 253, LEO May Inspect Pharmaceutical Records, would allow data contained in the controlled substances reporting system to be released to sheriffs, designated deputy sheriffs, police chiefs, and designated police officers who are assigned to investigate the diversion and illegal use of prescription medication or pharmaceutical products provided they are currently engaged in a bona fide investigation specifically related to the enforcement of laws governing licit drugs. Each request will be recorded and maintained within the Attorney General's Office.

The bill would also allow for law enforcement to review prescriptions, order forms and records, as well as stocks of controlled substances (Schedule I through V), maintained at a physician's or pharmacist's office and required by the Controlled Substances Act. Law enforcement would still be required to be engaged in a bona fide investigation, specifically related to the enforcement of laws governing licit drugs, to inspect such records. **Introduced by Senator Davis, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 15, 2013

SENATE BILL 261, Sales Tax Refund for Regional Jails, would allow regional jails to be added to the list of government entities are that entitled to a refund of sales and use taxes paid during the year on such things as building materials, supplies and equipment. **Introduced by Senator Jenkins, and referred to the Senate Committee on Finance.**

Date Prepared: March 15, 2013

This bill has passed the Senate and has been sent to the House for consideration.

Date Prepared: June 28, 2013

SENATE BILL 264, Abate Nuisances/Drug Sales From Stores, would strengthen the nuisance laws to close down businesses that repeatedly sell controlled substances by allowing an activity to be considered a nuisance even if that activity is not the sole purpose of the building or place where the activity occurs. The bill however would prohibit bringing a nuisance action against a place or business regulated by ABC laws if the basis for the action pertains to the possession or sale of alcoholic beverages.

The bill also would seek to prevent the use of a business front to sell controlled substances by providing that real property, including things growing on, affixed to, and found in land, used or intended to be used in violation of the Controlled Substances Act is subject to forfeiture with certain specified exceptions.

In addition, the bill would provide criteria for determining bond and other conditions of release in cases arising under the Controlled Substances Act when the defendant owns or controls a business where the controlled substance that is the basis for the charge was located. **Introduced by Senator Brown, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 15, 2013

This bill has passed the Senate and been sent to the House for consideration.

Date Prepared: May 10, 2013

This bill has been scheduled for a vote in the House on Monday, June 17.

Date Prepared: June 14, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 28, 2013

SENATE BILL 267, Raise Compulsory School Attendance Age, would provide that the compulsory school attendance law would be raised from 16 to 18 years old and also make the necessary changes to the statutes related to undisciplined juveniles. **Introduced by Senators Parmon and Graham, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: March 15, 2013

SENATE BILL 273, Permanent Plates for Housing Authorities, would allow the Division of Motor Vehicles to issue permanent license plates for vehicles owned by a housing authority. **Introduced by Senator Davis, and referred to the Senate Committee on Finance.**

Date Prepared: March 15, 2013

SENATE BILL 282, Operation Coming Home Special Plate, would authorize the Division of Motor Vehicles to issue a special license plate bearing the phrase "Operation Homecoming" and with a logo of the design by Operation Coming Home, Inc. **Introduced by Senator Hunt, and referred to the Senate Committee on Finance.**

Date Prepared: March 15, 2013

SENATE BILL 285, Eliminate International Laboratory Accreditation Cooperation (ILAC) Requirement, would eliminate the requirement that blood and urine analysis for admission in court must be performed in a laboratory that is certified by the International Laboratory Accreditation Cooperation (ILAC) but instead be done by an analyst that can be certified as an expert witness. **Introduced by Senator Davis, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 15, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 21, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 28, 2013

SENATE BILL 286, Mandate Use/Controlled Sub. Reporting System, would provide that if prior to prescribing or dispensing a controlled substance to a patient, a prescriber or dispenser fails to review the patient's information for the previous 12 months in the Controlled Substances Reporting System (CSRS), the prescriber or dispenser is guilty of a Class 1 misdemeanor, and if intentional, then guilty of a Class I felony. **Introduced by Senator Davis, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: March 15, 2013

SENATE BILL 287, Notice Publication by Some Local Governments, would provide that Guilford County, High Point, Greensboro and Morrisville may file required notices, such as official board meetings, electronically. **Introduced by Senators Wade and Barringer, and referred to the Senate Committee on State and Local Government.**

Date Prepared: March 15, 2013

This bill has been placed on the Senate calendar for a vote on Monday.

Date Prepared: April 19, 2013

This bill has passed the Senate and been referred to the Committee on Rules, Calendar, and Operations of the House.

Date Prepared: April 26, 2013

This bill has passed the Senate and been referred to the House Judiciary Subcommittee B.

Date Prepared: May 10, 2013

SENATE BILL 292, Immediate License Revocation for Refusal, would provide that the failure to consent to submit to a chemical analysis would result in the immediate suspension of the individual's license to drive regardless of whether the individual requests a hearing before the Division of Motor Vehicles if a judicial official or clerk determines that there is probable cause to believe that statutory conditions have been met. **Introduced by Senators Brunstetter and Rabon, and referred to the Senate Judiciary II Committee.**

Date Prepared: March 15, 2013

SENATE BILL 298, Online Voter Registration, is identical to House Bill 102 which was summarized in the February 22, 2013 Weekly Legislative Report. **Introduced by Senators Bryant, Parmon and McKissick, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: March 15, 2013

SENATE BILL 302, Domestic Violence Fatality Review Team/Mecklenburg Co, would change the membership of the Domestic Violence Fatality Review Team in Mecklenburg County to add the Sheriff or designee, provide that the chief of police appoint the law enforcement member, and make several other changes to the membership. **Introduced by Senator Graham, and referred to the Senate Committee on State and Local Government.**

Date Prepared: March 15, 2013

SENATE BILL 306, Capital Punishment/Amendments, would prohibit any board, commission or other authority, which regulates or oversees the practice of health care professionals, from sanctioning or subjecting to any disciplinary action, any licensed health care professionals for assisting with an execution and would provide that the administration of lethal substances to inflict capital punishment is not to be construed as the practice of medicine.

The bill would clarify that the administration of lethal substances or any other assistance with an execution does not constitute the practice of medicine or surgery and does not constitute the practice of pharmacy or nursing.

The bill would provide that the mode of execution must be in every case by administering an intravenous injection of a substance or substances in a lethal quantity sufficient to cause death until the person is dead and require that the procedure be determined by the Secretary of the Department of Public Safety in compliance with the federal and state constitutions. Current law provides an administration of a lethal quantity of an ultrashort acting barbiturate in combination with a chemical paralytic agent.

The bill would require the Attorney General to submit a written report to the Joint Legislative Oversight Committee on Justice and Public Safety on the status of all pending post-conviction capital cases, with the first report due April 1, 2013. The bill would also require the warden of

Central Prison to report to the Joint Legislative Committee on Justice and Public Safety on persons designated by the warden to execute death sentences and the status of their training and readiness for duty, with the first report due April 1, 2013.

The bill would also repeal the North Carolina Racial Justice Act (RJA). The bill further provides that a district attorney may request the Attorney General to assume primary responsibility for litigation in court of any claims or issues resulting from a petition for relief that has been filed or may be filed under the RJA, or any issues or matters relating to the repeal of the RJA under this act. The bill would provide that except in cases in which a final order has been issued by the court and the petitioner has been re-sentenced to life without parole, the repeal of the RJA would 1) be retroactive, 2) apply to any motion for appropriate relief filed under the RJA before the effective date of this act, and 3) void all motions filed under the RJA prior to the effective date of this act. **Introduced by Senator Goolsby, and referred to the Senate Judiciary I Committee.**  
Date Prepared: March 15, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 14, 2013

SENATE BILL 313, Parent's Consent Required to Quit School, is identical to House Bill 235 summarized above in this week's Weekly Legislative Report. **Introduced by Senators Parmon and Robinson, and referred to the Senate Committee on Education/Higher Education.**

Date Prepared: March 15, 2013

SENATE BILL 316, Pretrial Release/Rebuttable Presumption, is identical to House Bill 251 which was summarized in last week's Weekly Legislative Report. **This bill is supported by the North Carolina Sheriffs' Association.** **Introduced by Senators McKissick and Woodard, and referred to the Senate Judiciary II Committee.**

Date Prepared: March 15, 2013

This bill has been passed by the Senate and sent to the House for consideration. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: April 05, 2013

This bill has passed the Senate and been referred to the House Judiciary Subcommittee B.

Date Prepared: April 26, 2013

This bill has been reassigned to the House Committee on Appropriations.

Date Prepared: May 31, 2013

SENATE BILL 321, Contain Counties' Inmate Medical Costs, would provide that counties only have to reimburse providers and facilities that provide approved medical services to inmates in local confinement facilities the lesser amount of either:

- 1) 70% of the provider's then current prevailing charge, or
- 2) two times the then current Medicaid rate for any given service.

The bill would give counties the right to audit a provider to determine the actual prevailing charge.

The bill would not apply to vendors providing services that are not billed on a fee-for-service basis and does not preclude a county from contracting with a provider for services at a better rate for the county or at rates that are less favorable but ensure continued access to care.

The bill would also add that a local confinement facility's plan for providing prisoner medical care may use Medicaid coverage for eligible prisoners, as long as the plan includes a reimbursement to the state for the state's portion of the costs. **Introduced by Senators Davis, Newton and Goolsby, and referred to the Senate Committee on Health Care.**

Date Prepared: March 15, 2013

This bill has passed the Senate and been sent to the House for consideration.

Date Prepared: May 10, 2013

This bill has passed the Senate and been assigned to the House Committee on Health and Human Services.

Date Prepared: May 17, 2013

This bill has passed the House Judiciary B Committee and been sent to the Committee on Rules, Calendar, and Operations of the House.

Date Prepared: June 07, 2013

SENATE BILL 331, Sunshine Amendment, would provide for the citizens of North Carolina to vote on an amendment to the North Carolina Constitution that would provide for the right of all citizens to have access to records and meetings in state and local government. **Introduced by Senator Goolsby, and referred to the Senate Judiciary I Committee.**

Date Prepared: March 22, 2013

SENATE BILL 332, Government Transparency Act, would expand information currently subject to inspection in the personnel records of public employees by requiring that each personnel record contain a general description of the reasons for each promotion, demotion, transfer, suspension, separation, or other change in position classification as well as any records related to the performance of the employee.

The bill would also allow a party who prevails in an action seeking compliance with the open meetings law to recover reasonable attorneys' fees with some specific exceptions. Introduced by Senator Goolsby, and referred to the Senate Judiciary I Committee.

Date Prepared: March 22, 2013

SENATE BILL 333, Limit Eligibility For Judicial Appointments, would prohibit the Governor from appointing anyone to a special superior court judgeship who was an unsuccessful judicial candidate in the most recent election. **Introduced by Senator Rabon, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: March 22, 2013



SENATE BILL 342, Amend Gun Laws, would amend various General Statutes related to possession of firearms to do the following:

- 1) allow those with a valid concealed carry handgun permit to carry a handgun into a restaurant unless there is a conspicuous notice prohibiting concealed handguns posted by the restaurant;
- 2) amends the statute prohibiting a convicted felon from possessing a firearm to also:
  - a. prohibit the possession of ammunition,
  - b. prohibit the possession of an electric device that can be used as a weapon,
  - c. prohibit carrying a concealed weapon including a tear gas gun or similar weapon-like device, and
  - d. change the punishment for conviction under this section from a Class G to a Class E, Class C, Class D or Class G depending upon the circumstances of the crime and the degree of harm to a victim; and
- 3) provide a more specific definition for a “recreation facility” to include an athletic field, swimming pool and athletic facility including a gymnasium but exclude greenways and walking and biking trails.

**Introduced by Senators Newton, Soucek and Tarte, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: March 22, 2013

SENATE BILL 344, Vintage Auto Inspections, would provide:

- 1) for the licensing of an out-of-state vintage vehicle 35 years old or older if an inspection and verification has not been completed by an inspector of the License and Theft Bureau of the Division of Motor Vehicles within 10 days of a request if there is no reason to believe the vehicle numbers are not valid; and
- 2) that licensing must occur within 10 days of the vehicle being inspected.

Introduced by Senator Hartsell, and referred to the Senate Committee on Commerce.

Date Prepared: March 22, 2013

This bill has passed the Senate and sent to the House for consideration.

Date Prepared: April 19, 2013

This bill has passed the Senate and been sent to the House for consideration.

Date Prepared: April 19, 2013

SENATE BILL 352, Black Bear Management, would require that no one can hunt black bears anywhere in the state without first obtaining an electronic black bear stamp issued by the Wildlife Resources Commission in addition to the appropriate hunting license. Introduced by Senator Brown, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.

Date Prepared: March 22, 2013

SENATE BILL 353, Motorcycle Safety Act, would provide that violations concerning safe movements such as, signals on starting, stopping, or turning, where the violation results in a crash causing more than \$5,000 worth of property damage or a serious bodily injury to a motorcycle operator or passenger, are an infraction and would be assessed a fine of at least \$750. The bill would also require that the violation be treated as a failure to yield right-of-way to a motorcycle and assessed 3 points toward license suspension. This bill would also give the trial judge the authority to order the driver's license be suspended for no more than 30 days. Introduced by Senator Harrington, and referred to the Senate Committee on Transportation. Date Prepared: March 22, 2013

This bill has been placed on the Senate calendar for a vote on April 8.

Date Prepared: April 05, 2013

This bill has passed the Senate and has been referred to the House Committee on Rules, Calendar, and Operations of the House.

Date Prepared: April 12, 2013

This bill has passed the House Committee on Transportation and has been assigned to the House Judiciary Subcommittee B.

Date Prepared: June 28, 2013

SENATE BILL 360, Judicial Elections Amendment, would provide for the citizens of North Carolina to vote on an amendment to the North Carolina Constitution that would eliminate the election of judges to the Supreme Court of North Carolina, the North Carolina Court of Appeals and the Superior Court but provide for retention elections for those judges. Vacancies in judgeships would continue to be filled by appointment by the governor. The bill further provides that if a judge is not retained through the election process, he or she may not be appointed to the same office. **Introduced by Senator Brunstetter, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: March 22, 2013

SENATE BILL 368, Inmates Prescriptions/Pistol Permits, would provide that each local confinement facility can establish a fee of no more than \$10 for a 30 day supply or less of a prescription drug. The bill also provides that the sheriff shall charge a \$5 fee upon receiving an application (was upon issuing the permit) for a pistol permit. This bill is supported by the North Carolina Sheriffs' Association. Introduced by Senator Bingham, and referred to the Senate Judiciary II Committee.

Date Prepared: March 22, 2013

This bill has passed the Senate and been sent to the House for consideration. The bill was amended by legislators to raise the permit fee from \$5.00 to \$10.00. **At the request of the North Carolina Sheriffs' Association**, the bill was also amended to clarify that when a person applies for multiple pistol purchase permits at one time each permit shall be assessed an individual fee. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

This bill has passed the Senate and been sent to the House for consideration. The bill was amended by legislators to raise the permit fee from \$5.00 to \$10.00.

**At the request of the North Carolina Sheriffs' Association**, the bill was also amended to clarify that when a person applies for multiple pistol purchase permits at one time each permit shall be assessed an individual fee. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 03, 2013

This bill has passed the House Judiciary Subcommittee B and been assigned to the House Committee on Finance. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 24, 2013

This bill has been reassigned to the House Committee on Finance.

Date Prepared: May 31, 2013

SENATE BILL 372, Omnibus County Legislation, would provide for the establishment of the e911 Study Commission with membership appointed by the Speaker of the House and the President Pro Tempore of the Senate and includes the Secretary of the Department of Public Safety or designee. The e911 Study Commission is to study issues relating to e911, the e911 fee structure and its use to support local 911 activities, the structure of statewide e911 oversight and any other issues the Commission deems relevant. A report by the Commission would be due prior to the convening of the General Assembly in 2014. Introduced by Senator Davis, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.

Date Prepared: March 22, 2013

SENATE BILL 376, Landowners/Lessees May Trap Coyotes, would specifically allow by statute landowners or leasees to trap coyotes in the manner prescribed by law and at any time of the year in order to control the population of coyotes. Introduced by Senator Bingham, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.

Date Prepared: March 22, 2013

This bill has passed the Senate and been sent to the House for consideration.

Date Prepared: May 17, 2013

SENATE BILL 377, Suspend Truck Inspection/Severe Weather, would allow the governor to temporarily suspend the weighting of trucks used to transport crops from an area if there is an imminent threat of widespread or severe damage to crops that are ready to be harvested.

Introduced by Senators Jackson and Brock, and referred to the Senate Committee on Transportation.

Date Prepared: March 22, 2013

This bill has passed the Senate Transportation Committee.

Date Prepared: April 19, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 28, 2013

SENATE BILL 385, Courts/Procedure and Fee Amendments, is identical to House Bill 343 which is summarized above. Introduced by Senator Randleman, and referred to the Senate Judiciary I Committee.

Date Prepared: March 22, 2013

SENATE BILL 399, Criminal Defendant May Waive Jury Trial, has been scheduled for a vote in the Senate on Tuesday, April 30.

Date Prepared: April 26, 2013

This bill has been scheduled for a vote in the Senate on Monday, May 13.

Date Prepared: May 10, 2013

This bill has passed the Senate and been assigned to the House Judiciary Subcommittee C.

Date Prepared: May 17, 2013

SENATE BILL 402, Appropriations Act of 2013, has passed the Senate and been sent to the House for consideration. The bill contains a provision that would transfer the State Bureau of Investigation from the Department of Justice to the Department of Public Safety. The bill also contains a provision that would also transfer \$12.7 million from the Statewide Misdemeanant Confinement Fund to the Department of Public Safety. **Both provisions are opposed by the North Carolina Sheriffs' Association.**

Date Prepared: May 24, 2013

This bill has passed the House and has been returned to the Senate for consideration of the House changes. The bill has been scheduled for a vote in the Senate on Monday, June 17.

Date Prepared: June 14, 2013

SENATE BILL 409, Amend Civil No-Contact Laws, has passed the Senate and been sent to the House for consideration.

Date Prepared: May 17, 2013

SENATE BILL 443, Amend Abandoned Firearms Law, has passed the Senate and been referred to the House Judiciary Subcommittee B.

Date Prepared: May 10, 2013

This bill has passed the House and will be returned to the Senate for consideration of the House changes.

Date Prepared: June 07, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 14, 2013

SENATE BILL 463, Jail Dormitory Minimum Standards, has passed the Senate and been sent to the House for consideration.

Date Prepared: May 17, 2013

This bill has passed the Senate and been assigned to the Committee on Rules, Calendar, and Operations of the House.

Date Prepared: May 24, 2013

SENATE BILL 470, No Beer/Wine if Permit Revoked or Suspended, has passed the Senate and has been sent to the House for consideration.

Date Prepared: April 12, 2013

This bill has passed the Senate and been referred to the House Committee on Commerce and Job Development Subcommittee on Alcohol Beverage Control.

Date Prepared: April 19, 2013

SENATE BILL 527, Trespass on School Grounds, would provide that trespassing on school property within one hour of the beginning or ending of a school day would be a Class 1 misdemeanor unless the individual was a student, parent, employee, properly registered visitor or attending a school related event. **Introduced by Senator Bingham, and referred to the Senate Judiciary II Committee.**

Date Prepared: April 05, 2013

This bill would provide that trespassing on school property within one hour of the beginning or ending of a school day would be a Class 1 misdemeanor unless the individual was a student, parent, employee, properly registered visitor or attending a school related event. **Introduced by Senator Bingham, and referred to the Senate Judiciary II Committee.**

Date Prepared: April 05, 2013

SENATE BILL 529, Search Warrant/Cell Phone Location Info, would provide that law enforcement must have a search warrant to access the location or locating information generated by an electronic communication device (generally, a cell phone) unless the information is used in an emergency situation or if the owner grants consent. The bill would further provide that no information gathered by way of the search warrant may be used as evidence in court prior to giving 10 days' notice of the order to all parties. The bill also provides for judges to report to the Administrative Office of the Courts any search warrants authorized and that any willful violation of this law would be a Class 1 misdemeanor. **Introduced by Senators Goolsby and Daniel, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

This bill would provide that law enforcement must have a search warrant to access the location or locating information generated by an electronic communication device (generally, a cell phone) unless the information is used in an emergency situation or if the owner grants consent. The bill would further provide that no information gathered by way of the search warrant may be

used as evidence in court prior to giving 10 days' notice of the issuing of the search warrant to all parties. The bill also provides for judges to report to the Administrative Office of the Courts any search warrants authorized and that any willful violation of this law would be a Class 1 misdemeanor. **Introduced by Senators Goolsby and Daniel, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

SENATE BILL 530, Prohibit E-Cigarette Sales to Minors, would prohibit the direct, vending machine or internet sale of tobacco related products, vapor products like electronic cigarettes and cigarette wrapping papers to anyone under the age of 18. **Introduced by Senator Goolsby, and referred to the Senate Committee on Health Care.**

Date Prepared: April 05, 2013

This bill would prohibit the direct, vending machine or internet sale of tobacco related products, vapor products like electronic cigarettes and cigarette wrapping papers to anyone under the age of 18. **Introduced by Senator Goolsby, and referred to the Senate Committee on Health Care.**

Date Prepared: April 05, 2013

SENATE BILL 537, Amend Sentencing/Drug Violations, would amend the law in drug trafficking cases to provide that the sentencing judge could reduce or suspend the sentence of an offender if a finding is made that the offender has no prior convictions for threatening or producing bodily harm, a prior felony conviction for the possession, sale or manufacture of controlled substances and that the offender did not possess a firearm in the commission of the offense. **Introduced by Senator Kinnaird, and referred to the Senate Judiciary II Committee.**

Date Prepared: April 05, 2013

This bill Amend Sentencing/Drug Violations, would amend the law in drug trafficking cases to provide that the sentencing judge could reduce or suspend the sentence of an offender if a finding is made that the offender has no prior convictions for threatening or producing bodily harm, a prior felony conviction for the possession, sale or manufacture of controlled substances and that the offender did not possess a firearm in the commission of the offense. **Introduced by Senator Kinnaird, and referred to the Senate Judiciary II Committee.**

Date Prepared: April 05, 2013

SENATE BILL 544, Nondiscrimination in State Employment, is identical to House Bill 429 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Senator Stein, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

This bill is identical to House Bill 429 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Senator Stein, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

SENATE BILL 549, Gun Privacy, would provide that information collected regarding a concealed handgun or pistol purchase permits is not a public record. The bill also specifies that information held by the sheriff, gun dealer and the State Bureau of Investigation are not public records. **This bill is supported by the North Carolina Sheriffs' Association.** **Introduced by Senators Tucker and Meredith, and referred to the Senate Judiciary I Committee.**  
Date Prepared: April 05, 2013

This bill would provide that information collected regarding a concealed handgun or pistol purchase permits is not a public record. The bill also specifies that information held by the sheriff, gun dealer and the State Bureau of Investigation are not public records. **This bill is supported by the North Carolina Sheriffs' Association.** **Introduced by Senators Tucker and Meredith, and referred to the Senate Judiciary I Committee.**  
Date Prepared: April 05, 2013

SENATE BILL 550, Study Decreasing DWI/DUI Paperwork, would direct the Department of Public Safety to study how to reduce the paperwork associated with the processing of an impaired driver suspect. **Introduced by Senator Tucker, and referred to the Senate Committee on Rules and Operations of the Senate.**  
Date Prepared: April 05, 2013

This bill would direct the Department of Public Safety to study how to reduce the paperwork associated with the processing of an impaired driver suspect. **Introduced by Senator Tucker, and referred to the Senate Committee on Rules and Operations of the Senate.**  
Date Prepared: April 05, 2013

SENATE BILL 554, Amend Child Welfare & Public Health Laws, is essentially the same as House Bill 399 which was summarized in the March 22 Weekly Legislative Report with the addition of a section on public health. **Introduced by Senator Hise, and referred to the Senate Committee on Health Care.**  
Date Prepared: April 05, 2013

This bill is essentially the same as House Bill 399 which was summarized in the March 22 Weekly Legislative Report with the addition of a section on public health. **Introduced by Senator Hise, and referred to the Senate Committee on Health Care.**  
Date Prepared: April 05, 2013

SENATE BILL 559, Dealer License Plate/Independent Dealer, would allow the officers, sales staff or other employees of independent car dealers or members of their families to use a dealer plate on a vehicle. **Introduced by Senator Hise, and referred to the Senate Committee on Transportation.**  
Date Prepared: April 05, 2013

This bill would allow the officers, sales staff or other employees of independent car dealers or members of their families to use a dealer plate on a vehicle. **Introduced by Senator Hise, and referred to the Senate Committee on Transportation.**  
Date Prepared: April 05, 2013

SENATE BILL 567, Reduce Repeat Crimes, would establish the North Carolina Statewide Reentry Advisory Council with membership appointed by the secretary of the Department of Public Safety and would have the following duties:

- 1) identify reentry and transition barriers and develop methods to address them;
- 2) improve collaboration and coordination of reentry and transition services among and between State, local, and nonprofit agencies;
- 3) establish partnerships to promote job creation and development for individuals with criminal backgrounds; and,
- 4) promote evidence based reentry and transition strategies for juveniles and adult offenders.

**Introduced by Senator Stein, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

This bill would establish the North Carolina Statewide Reentry Advisory Council with membership appointed by the secretary of the Department of Public Safety and would have the following duties:

- 1) identify reentry and transition barriers and develop methods to address them;
- 2) improve collaboration and coordination of reentry and transition services among and between State, local, and nonprofit agencies;
- 3) establish partnerships to promote job creation and development for individuals with criminal backgrounds; and,
- 4) promote evidence based reentry and transition strategies for juveniles and adult offenders.

**Introduced by Senator Stein, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

SENATE BILL 571, Authorize Various Special Plates, is identical to House Bill 22 which was summarized in the February 1 Weekly Legislative Report. **Introduced by Senator Brock, and referred to the Senate Committee on Finance.**

Date Prepared: April 05, 2013

This bill is identical to House Bill 22 which was summarized in the February 1 Weekly Legislative Report. **Introduced by Senator Brock, and referred to the Senate Committee on Finance.**

Date Prepared: April 05, 2013

This bill has passed the Senate and been sent to the House for consideration.

Date Prepared: June 14, 2013

SENATE BILL 582, Privacy/Protect Law Officer Personal Info, would provide that the home address, personal telephone number, personal email address and family information of current or former law enforcement officers is not a public record and may not be disclosed. The bill would



also provide that the following information about a current or former law enforcement officer may be released as a public record:

- 1) name;
- 2) age;
- 3) date of original employment or appointment;
- 4) the terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the county has the written contract or a record of the oral contract in its possession;
- 5) current position;
- 6) title;
- 7) current salary;
- 8) date and amount of each increase or decrease in salary with that county;
- 9) date and type of each promotion, demotion, transfer, suspension, separation or other change in position classification with that county;
- 10) date and general description of the reasons for each promotion with that county;
- 11) date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the county. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the county setting forth the specific acts or omissions that are the basis of the dismissal; and,
- 12) the office to which the employee is currently assigned.

**Introduced by Senator Tucker, and referred to the Senate Judiciary I Committee.**

Date Prepared: April 05, 2013

This bill would provide that the home address, personal telephone number, personal email address and family information of current or former law enforcement officers is not a public record and may not be disclosed. The bill would also provide that the following information about a current or former law enforcement officer may be released as a public record:

- 1) name;
- 2) age;
- 3) date of original employment or appointment;
- 4) the terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the county has the written contract or a record of the oral contract in its possession;
- 5) current position;
- 6) title;
- 7) current salary;
- 8) date and amount of each increase or decrease in salary with that county;
- 9) date and type of each promotion, demotion, transfer, suspension, separation or other change in position classification with that county;
- 10) date and general description of the reasons for each promotion with that county;
- 11) date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the county. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the county setting forth the specific acts or omissions that are the basis of the dismissal; and,
- 12) the office to which the employee is currently assigned.

**Introduced by Senator Tucker, and referred to the Senate Judiciary I Committee.**

Date Prepared: April 05, 2013

SENATE BILL 583, Metal Theft Statute Amendments, would make the following changes to the copper theft law:

- 1) redefines the cash card system definition to include the use of an automatic cash dispenser including an Automated Teller Machine;
- 2) prohibits the purchase of air conditioner condensers that are not attached to the unit;
- 3) authorizes the purchase of coils and condensers with a purchase receipt or proof of ownership by the seller;
- 4) prohibits the purchase of coils from a window air conditioning unit if not separated from the unit or a coil from a vehicle condenser; and
- 5) requires sellers of coils that are not attached to an air conditioning unit to provide an index fingerprint beside their signature for records keeping purposes.

**Introduced by Senator Tucker, and referred to the Senate Committee on Commerce.**

Date Prepared: April 05, 2013

This bill would make the following changes to the copper theft law:

- 1) redefines the cash card system definition to include the use of an automatic cash dispenser including an Automated Teller Machine;
- 2) prohibits the purchase of air conditioner condensers that are not attached to the unit;
- 3) authorizes the purchase of coils and condensers with a purchase receipt or proof of ownership by the seller;
- 4) prohibits the purchase of coils from a window air conditioning unit if not separated from the unit or a coil from a vehicle condenser; and
- 5) requires sellers of coils that are not attached to an air conditioning unit to provide an index fingerprint beside their signature for records keeping purposes.

**Introduced by Senator Tucker, and referred to the Senate Committee on Commerce.**

Date Prepared: April 05, 2013

This bill has passed the Senate and been sent to the House for consideration.

Date Prepared: May 17, 2013

This bill has passed the Senate and been assigned to the House Judiciary Subcommittee C.

Date Prepared: May 24, 2013

This bill has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 07, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

Date Prepared: June 14, 2013

SENATE BILL 584, Amend False Liens Law, would amend the False Liens law to also protect members of the immediate family of public officers or public employees. **This bill is supported by the North Carolina Sheriffs' Association.** **Introduced by Senator Tucker, and referred to the Senate Judiciary I Committee.**

Date Prepared: April 05, 2013

This bill would amend the False Liens law to also protect members of the immediate family of public officers or public employees. **This bill is supported by the North Carolina Sheriffs' Association.** **Introduced by Senator Tucker, and referred to the Senate Judiciary I Committee.**

Date Prepared: April 05, 2013

This bill has passed the Senate and been sent to the House for consideration. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 17, 2013

This bill has passed the Senate and been assigned to the House Judiciary Subcommittee B. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: May 24, 2013

This bill has passed the House and Senate and will next be sent to Governor Pat McCrory for his signature.

Date Prepared: June 07, 2013

This bill has passed the House and Senate and has been sent to Governor Pat McCrory for his signature. **This bill is supported by the North Carolina Sheriffs' Association.**

Date Prepared: June 14, 2013

SENATE BILL 585, Amend DWLR Law, would provide the following changes to the driving while licensed revoked law:

- 1) changes the punishment from a Class 1 misdemeanor to a non-moving violation infraction for those convicted of driving while license revoked when a license was revoked for a failure to appear for a trial or hearing, or failure to pay a fine, penalty and costs ordered by the court;
- 2) provides that if convicted of driving while license revoked following a revocation of driver's license for accumulating 12 or more driving points, or following a revocation for forfeiture of a motor vehicle for impaired driving, or while driving on a limited driving privilege, or while in the use of an ignition interlock will result in an additional one year suspension for the first offense, two years for the second offense and permanently for the third offense; and
- 3) changes the punishment from a Class 2 misdemeanor to an infraction for driving without reclaiming license.

**Introduced by Senators Clodfelter and Tarte, and referred to the Senate Judiciary II Committee.**

Date Prepared: April 05, 2013

This bill would provide the following changes to the driving while licensed revoked law:

- 1) changes the punishment from a Class 1 misdemeanor to a non-moving violation infraction for those convicted of driving while license revoked when a license was revoked for a failure to appear for a trial or hearing, or failure to pay a fine, penalty and costs ordered by the court;
- 2) provides that if convicted of driving while license revoked following a revocation of driver's license for accumulating 12 or more driving points, or following a revocation for forfeiture of a motor vehicle for impaired driving, or while driving on a limited driving privilege, or while in the use of an ignition interlock will result in an additional one year suspension for the first offense, two years for the second offense and permanently for the third offense; and
- 3) changes the punishment from a Class 2 misdemeanor to an infraction for driving without reclaiming license.

**Introduced by Senators Clodfelter and Tarte, and referred to the Senate Judiciary II Committee.**

Date Prepared: April 05, 2013

SENATE BILL 589, 2013 School Safety Act, is identical to House Bill 452 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Senator Stein, and referred to the Senate Committee on Education/Higher Education.**

Date Prepared: April 05, 2013

This bill is identical to House Bill 452 which was summarized in the March 28 Weekly Legislative Report. **Introduced by Senator Stein, and referred to the Senate Committee on Education/Higher Education.**

Date Prepared: April 05, 2013

SENATE BILL 598, Special Forces Special Plate, would reauthorize the Division of Motor Vehicles to produce a special plate for the Special Forces Association with a representation of the Special Forces (previously Association) should patch with tabs that shall bear the words Special Forces and Airborne (previously Special Forces Association and Airborne). **Introduced by Senator Meredith, and referred to the Senate Committee on Finance.**

Date Prepared: April 05, 2013

This bill would reauthorize the Division of Motor Vehicles to produce a special plate for the Special Forces Association with a representation of the Special Forces (previously Association) should patch with tabs that shall bear the words Special Forces and Airborne (previously Special Forces Association and Airborne). **Introduced by Senator Meredith, and referred to the Senate Committee on Finance.**

Date Prepared: April 05, 2013

SENATE BILL 599, Retirement Technical Corrections, would remove the 10% cap on voluntary contributions to the Supplemental Retirement Income Plan for Local Governmental Law-

Enforcement Officers and would make other technical changes. **Introduced by Senator Apodaca, and referred to the Senate Committee on Pensions & Retirement and Aging.**  
Date Prepared: April 05, 2013

This bill would remove the 10% cap on voluntary contributions to the Supplemental Retirement Income Plan for Local Governmental Law-Enforcement Officers and would make other technical changes. **Introduced by Senator Apodaca, and referred to the Senate Committee on Pensions & Retirement and Aging.**  
Date Prepared: April 05, 2013

SENATE BILL 602, Submit Accident Reports Electronically, would require any law enforcement agency that submits more than 100 accident reports to the Division of Motor Vehicles annually to submit the reports electronically and those who submit less than 100 reports annually may submit their reports by either paper or electronically effective December 1. **Introduced by Senators Rabon and Harrington, and referred to the Senate Committee on Transportation.**  
Date Prepared: April 05, 2013

This bill would require any law enforcement agency that submits more than 100 accident reports to the Division of Motor Vehicles annually to submit the reports electronically and those who submit less than 100 reports annually may submit their reports by either paper or electronically effective December 1. **Introduced by Senators Rabon and Harrington, and referred to the Senate Committee on Transportation.**  
Date Prepared: April 05, 2013

SENATE BILL 603, Clarify Issuance of Plates/Certificates Law, would clarify existing law to allow all Division of Motor Vehicles offices in Mecklenburg, Cumberland and Wake counties to issue plates and titles. Current law only provides issuing powers for those DMV offices in Fort Bragg, Charlotte and Raleigh. **Introduced by Senators Rabon and Harrington, and referred to the Senate Committee on Transportation.**  
Date Prepared: April 05, 2013

This bill would clarify existing law to allow all Division of Motor Vehicles offices in Mecklenburg, Cumberland and Wake counties to issue plates and titles. Current law only provides issuing powers for those DMV offices in Fort Bragg, Charlotte and Raleigh. **Introduced by Senators Rabon and Harrington, and referred to the Senate Committee on Transportation.**  
Date Prepared: April 05, 2013

SENATE BILL 620, Allow More Than One Expunction, would provide that the court in its discretion may allow a person who was charged with a second non-violent crime when the person was less than 26 years old and later had the charges expunged and who is charged with a subsequent non-violent crime that was dismissed or had a finding of not guilty to expunge those subsequent charges. **Introduced by Senators McKissick and Daniel, and referred to the Senate Committee on Rules and Operations of the Senate.**  
Date Prepared: April 05, 2013

This bill would provide that the court in its discretion may allow a person who was charged with a second non-violent crime when the person was less than 26 years old and later had the charges expunged and who is charged with a subsequent non-violent crime that was dismissed or had a finding of not guilty to expunge those subsequent charges. **Introduced by Senators McKissick and Daniel, and referred to the Senate Committee on Rules and Operations of the Senate.**  
Date Prepared: April 05, 2013

SENATE BILL 622, Drivers Licenses for ITIN Holders, would provide that an individual who is ineligible to obtain a social security number may swear to that fact and be issued a driver's license using a valid Tax Identification Number issued by the Internal Revenue Service. The fee for the driver's license would be \$50 per year for the number of years for which it is issued. Current law is \$4 per year. **Introduced by Senator McKissick, and referred to the Senate Committee on Rules and Operations of the Senate.**  
Date Prepared: April 05, 2013

This bill would provide that an individual who is ineligible to obtain a social security number may swear to that fact and be issued a driver's license using a valid Tax Identification Number issued by the Internal Revenue Service. The fee for the driver's license would be \$50 per year for the number of years for which it is issued. Current law is \$4 per year. **Introduced by Senator McKissick, and referred to the Senate Committee on Rules and Operations of the Senate.**  
Date Prepared: April 05, 2013

SENATE BILL 623, Automatic License Plate Readers, would provide for new laws governing Automatic License Plate Reader Systems and do the following:

- 1) restrict use of automatic license plate reader systems to the purpose of comparing captured data and identifying any of the following:
  - a. outstanding parking or traffic violations;
  - b. a violation of vehicle registration requirements;
  - c. a violation of the inspection requirements;
  - d. a stolen vehicle or stolen plate;
  - e. a vehicle owned by someone who has an outstanding warrant for arrest or order for arrest for a felony violation;
  - f. a vehicle associated with a missing person;
- 2) for enforcing parking laws and ordinances;
- 3) for controlling access to secured areas; and
- 4) for the purpose of electronic toll collection.

Senate Bill 623 would further provide that the data captured by Automatic License Plate Reader Systems is confidential and not a public record and cannot be preserved for more than 10 days but may be held and obtained by law enforcement through a court order. The bill further provides that all Automatic License Plate Reader Systems must update their database every 24 hours. Finally, the bill provides civil penalties for those violating the provisions of the Article. **Introduced by Senators McKissick and Bingham, and referred to the Senate Committee on Transportation.**

Date Prepared: April 05, 2013

This bill would provide for new laws governing Automatic License Plate Reader Systems and do the following:

- 1) restrict use of automatic license plate reader systems to the purpose of comparing captured data and identifying any of the following:
  - a. outstanding parking or traffic violations;
  - b. a violation of vehicle registration requirements;
  - c. a violation of the inspection requirements;
  - d. a stolen vehicle or stolen plate;
  - e. a vehicle owned by someone who has an outstanding warrant for arrest or order for arrest for a felony violation;
  - f. a vehicle associated with a missing person;
- 2) for enforcing parking laws and ordinances;
- 3) for controlling access to secured areas; and
- 4) for the purpose of electronic toll collection.

Senate Bill 623 would further provide that the data captured by Automatic License Plate Reader Systems is confidential and not a public record and cannot be preserved for more than 10 days but may be held and obtained by law enforcement through a court order. The bill further provides that all Automatic License Plate Reader Systems must update their database every 24 hours.

Finally, the bill provides civil penalties for those violating the provisions of the Article.

**Introduced by Senators McKissick and Bingham, and referred to the Senate Committee on Transportation.**

Date Prepared: April 05, 2013

SENATE BILL 626, Recodify Animal Shelter Law, would provide the following rewrite of the animal shelter law:

- 1) all animals received by an animal shelter shall be held for a minimum of 72 hours before being sold, euthanized or otherwise disposed of unless the animal is seriously ill or injured and the manager of the shelter determines in writing that it is appropriate to do so;
- 2) before any animal is sold or euthanized or otherwise disposed of it shall be made available for adoption unless:
  - a. the animal has been found to not be adoptable due to injury or defects of health or temperament;
  - b. the animal is seriously ill or injured; or
  - c. the animal is being held as evidence in a pending criminal case;
- 3) shelters must allow owners looking for lost pets to view every animal held at the shelter during at least four hours per day, three days per week;
- 4) animals held during the minimum holding period may be transferred to an approved foster care, an approved rescue organization or to the person who found it;
- 5) animals that are surrendered to an animal shelter by their owner may be disposed of before the expiration of the minimum holding period if the owner presents proof of ownership and grants a signed consent;
- 6) shelters shall require every person to whom an animal is released to present a valid form of government-issued photo identification; and

- 7) all shelters must keep records of all animals impounded, maintain the records for a minimum of 3 years and make records available for inspection.

**Introduced by Senators McKissick, Jackson and Meredith, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**

Date Prepared: April 05, 2013

This bill would provide the following rewrite of the animal shelter law:

- 1) all animals received by an animal shelter shall be held for a minimum of 72 hours before being sold, euthanized or otherwise disposed of unless the animal is seriously ill or injured and the manager of the shelter determines in writing that it is appropriate to do so;
- 2) before any animal is sold or euthanized or otherwise disposed of it shall be made available for adoption unless:
  - d. the animal has been found to not be adoptable due to injury or defects of health or temperament;
  - e. the animal is seriously ill or injured; or
  - f. the animal is being held as evidence in a pending criminal case;
- 3) shelters must allow owners looking for lost pets to view every animal held at the shelter during at least four hours per day, three days per week;
- 4) animals held during the minimum holding period may be transferred to an approved foster care, an approved rescue organization or to the person who found it;
- 5) animals that are surrendered to an animal shelter by their owner may be disposed of before the expiration of the minimum holding period if the owner presents proof of ownership and grants a signed consent;
- 6) shelters shall require every person to whom an animal is released to present a valid form of government-issued photo identification; and
- 7) all shelters must keep records of all animals impounded, maintain the records for a minimum of 3 years and make records available for inspection.

**Introduced by Senators McKissick, Jackson and Meredith, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**

Date Prepared: April 05, 2013

This bill has passed the Senate and been assigned to the House Committee on Agriculture.

Date Prepared: May 17, 2013

SENATE BILL 628, DMV Block Registration/Unpaid Parking Fines, would provide that the Division of Motor Vehicles shall refuse the registration of a motor vehicle when they have been notified by a municipality of outstanding fines or penalties imposed upon the owner for committing a parking violation. **Introduced by Senators Wade, Tillman and Barringer, and referred to the Senate Committee on Transportation.**

Date Prepared: April 05, 2013

This bill would provide that the Division of Motor Vehicles shall refuse the registration of a motor vehicle when they have been notified by a municipality of outstanding fines or penalties



imposed upon the owner for committing a parking violation. **Introduced by Senators Wade, Tillman and Barringer, and referred to the Senate Committee on Transportation.**

Date Prepared: April 05, 2013

SENATE BILL 630, Evidence & DNA Expunction Laws, is identical to House Bill 386 which was summarized in the March 22 Weekly Legislative Report. **Introduced by Senator Newton, and referred to the Senate Judiciary I Committee.**

Date Prepared: April 05, 2013

This bill is identical to House Bill 386 which was summarized in the March 22 Weekly Legislative Report. **Introduced by Senator Newton, and referred to the Senate Judiciary I Committee.**

Date Prepared: April 05, 2013

This bill has passed the Senate and has been sent to the House for consideration.

Date Prepared: May 10, 2013

This bill has passed the Senate and been sent to the House for consideration.

Date Prepared: May 17, 2013

This bill has passed the House and Senate and will next be sent to Governor Pat McCrory for his signature.

Date Prepared: June 07, 2013

SENATE BILL 631, NCSC Special Plate, is identical to House Bill 550 which was summarized above. **Introduced by Senator Newton, and referred to the Senate Committee on Finance.**

Date Prepared: April 05, 2013

This bill is identical to House Bill 550 which was summarized above. **Introduced by Senator Newton, and referred to the Senate Committee on Finance.**

Date Prepared: April 05, 2013

SENATE BILL 634, Increase Penalties/Gas Theft, would change the penalty to bypass or tamper with a natural gas meter from a Class 2 misdemeanor to a Class F felony. The bill also provides that it would be a Class 1 misdemeanor for the first offense of reconnecting lawfully disconnected services or altering any load limiting device, a Class H felony for second offense, and a Class G felony for a third offense. An offense that results in significant property damage or that endangers the public would be a Class F felony. **Introduced by Senator Newton, and referred to the Senate Judiciary II Committee.**

Date Prepared: April 05, 2013

This bill Increase Penalties/Gas Theft, would change the penalty to bypass or tamper with a natural gas meter from a Class 2 misdemeanor to a Class F felony. The bill also provides that it would be a Class 1 misdemeanor for the first offense of reconnecting lawfully disconnected services or altering any load limiting device, a Class H felony for second offense, and a Class G felony for a third offense. An offense that results in significant property damage or that

endangers the public would be a Class F felony. **Introduced by Senator Newton, and referred to the Senate Judiciary II Committee.**

Date Prepared: April 05, 2013

SENATE BILL 636, Wildlife Resources Commission Penalty Changes, would make various changes to the punishments for violations of Wildlife Resources Commission rules and wildlife laws. The bill would also make it a Class 1 misdemeanor for the unlawful taking or possessing of an elk from State-owned property. **Introduced by Senator Newton, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**

Date Prepared: April 05, 2013

This bill would make various changes to the punishments for violations of Wildlife Resources Commission rules and wildlife laws. The bill would also make it a Class 1 misdemeanor for the unlawful taking or possessing of an elk from State-owned property. **Introduced by Senator Newton, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**

Date Prepared: April 05, 2013

SENATE BILL 655, Pyrotechnics/UNC School of Arts Exception, is identical to House Bill 382 which was summarized in the March 22 Weekly Legislative Report. **Introduced by Senator Parmon, and referred to the Senate Committee on Education/Higher Education.**

Date Prepared: April 05, 2013

This bill is identical to House Bill 382 which was summarized in the March 22 Weekly Legislative Report. **Introduced by Senator Parmon, and referred to the Senate Committee on Education/Higher Education.**

Date Prepared: April 05, 2013

SENATE BILL 657, Stop Methamphetamine Production, would repeal the current law on methamphetamine precursors and add a section defining any drug containing any of the precursors to make methamphetamine as a Schedule III controlled substance. The bill would also direct the North Carolina State Crime Laboratory to conduct tests on any pseudoephedrine product that is exempt from regulation or is claimed by the manufacturer to be resistant to use as an ingredient in the manufacture of a controlled substance and report to the Joint Legislative Oversight Committee on Justice and Public Safety. **Introduced by Senator Curtis, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

This bill would repeal the current law on methamphetamine precursors and add a section defining any drug containing any of the precursors to make methamphetamine as a Schedule III controlled substance. The bill would also direct the North Carolina State Crime Laboratory to conduct tests on any pseudoephedrine product that is exempt from regulation or is claimed by the manufacturer to be resistant to use as an ingredient in the manufacture of a controlled substance and report to the Joint Legislative Oversight Committee on Justice and Public Safety.

**Introduced by Senator Curtis, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

SENATE BILL 666, Election Law Changes, would make several changes to the election laws including repealing same day voting registration, limiting early voting to 10 days and eliminating satellite early voting sites. **Introduced by Senators Cook, Sanderson and Rabin, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

This bill would make several changes to the election laws including repealing same day voting registration, limiting early voting to 10 days and eliminating satellite early voting sites.

**Introduced by Senators Cook, Sanderson and Rabin, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

SENATE BILL 676, 10 Year Minimum for 2nd Gun Felony Conviction, would create a new law that would create the status offense of armed habitual felon. The bill would provide that upon a second conviction of a felony firearm-related offense the offender could also be charged as an armed habitual felon and punished as a Class C felon and sentenced to no less than 120 months in prison or to the terms prescribed in the underlying offense whichever is greater. **Introduced by Senator Daniel, and referred to the Senate Judiciary II Committee.**

Date Prepared: April 05, 2013

This bill would create a new law that would create the status offense of armed habitual felon. The bill would provide that upon a second conviction of a felony firearm-related offense the offender could also be charged as an armed habitual felon and punished as a Class C felon and sentenced to no less than 120 months in prison or to the terms prescribed in the underlying offense whichever is greater. **Introduced by Senator Daniel, and referred to the Senate Judiciary II Committee.**

Date Prepared: April 05, 2013

SENATE BILL 678, Law Enforcement/Appointed Offices, would allow state or local law enforcement agencies to authorize any person who holds an appointed office with a state or local law enforcement agency to hold concurrently no more than two additional appointive offices with another agency. **Introduced by Senator Davis, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

This bill would allow state or local law enforcement agencies to authorize any person who holds an appointed office with a state or local law enforcement agency to hold concurrently no more than two additional appointive offices with another agency. **Introduced by Senator Davis, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

SENATE BILL 680, Retirement Protection Act, would amend the Local Governmental Employees' Retirement System and the Teachers' and State Employees' Retirement System to provide that creditable service earned while on disability for those retired employees who return

to service and accumulate at least three years of service counts toward cumulative service. **Introduced by Senator Apodaca, and referred to the Senate Committee on Pensions & Retirement and Aging.**

Date Prepared: April 05, 2013

This bill would amend the Local Governmental Employees' Retirement System and the Teachers' and State Employees' Retirement System to provide that creditable service earned while on disability for those retired employees who return to service and accumulate at least three years of service counts toward cumulative service. **Introduced by Senator Apodaca, and referred to the Senate Committee on Pensions & Retirement and Aging.**

Date Prepared: April 05, 2013

SENATE BILL 681, Admissibility of Forensic Evidence, would repeal the requirement that to be admissible in court forensic evidence must be analyzed in an International Laboratory Accreditation Cooperation laboratory and require the analyses must be performed by an individual who can be recognized as an expert witness. **Introduced by Senator Davis, and referred to the Senate Judiciary I Committee.**

Date Prepared: April 05, 2013

This bill would repeal the requirement that to be admissible in court forensic evidence must be analyzed in an International Laboratory Accreditation Cooperation laboratory and require the analyses must be performed by an individual who can be recognized as an expert witness. **Introduced by Senator Davis, and referred to the Senate Judiciary I Committee.**

Date Prepared: April 05, 2013

SENATE BILL 682, Evidence & DNA Expiration Laws, is also identical to House Bill 386 summarized in the March 22 Weekly Legislative Report. **Introduced by Senator Goolsby, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

This bill is also identical to House Bill 386 summarized in the March 22 Weekly Legislative Report. **Introduced by Senator Goolsby, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

SENATE BILL 683, Safe Harbor/Victims of Human Trafficking, would amend the laws on human trafficking and rewrite the laws on prostitution. The bill would;

- 1) add reckless disregard as an element of the offense of human trafficking;
- 2) add minors held in involuntary servitude or sexual servitude;
- 3) add mistake of age or consent of a minor as no defense from prosecution;
- 4) raise the punishment for involuntary servitude and sexual servitude from a Class F to a Class E felony;
- 5) define prostitution and make a violation a Class 1 misdemeanor;
- 6) provide that a minor arrested for prostitution would be immune from prosecution and shall be subject to temporary protective custody and the arresting officer shall

immediately report an allegation of abuse and neglect to the county director of social services;

- 7) make solicitation of a sexual act punishable as a Class F felony or a Class C felony if the individual is a minor and is mentally disabled;
- 8) make promoting prostitution a Class F felony unless committed within 1,000 feet of a school and it is then a Class C felony and a second offense is to be punished as a Class C felony;
- 9) make promoting the prostitution of a minor a Class B2 felony unless committed within 1,000 feet of a school and it is then a Class B1 felony and a second offense is to be punished as a Class B1 felony;
- 10) make patronizing a prostitute a Class F felony unless committed within 1,000 feet of a school and it is then a Class C felony and a second offense is to be punished as a Class C felony;
- 11) make patronizing a minor engaged in prostitution a Class C felony unless committed within 1,000 feet of a school it is then a Class B2 felony and a second offense is to be punished as a Class B2 felony;
- 12) provide for law enforcement to impound the vehicle of anyone arrested for a violation of a prostitution offense and be charged a \$1,000 fee to recover the vehicle with \$500 of the fee going to the unit of government whose law enforcement officer made the arrest and \$500 going to the Crime Victim's Compensation fund;
- 13) provide for the expunction of a person's participation in a prostitution offense under certain conditions;
- 14) provide for mandatory restitution for victims of human trafficking; and
- 15) make clarifying and conforming changes to the laws.

**Introduced by Senators Goolsby, Barringer and Kinnaird, and referred to the Senate Judiciary I Committee.**

Date Prepared: April 05, 2013

This bill would amend the laws on human trafficking and rewrite the laws on prostitution. The bill would;

- 1) add reckless disregard as an element of the offense of human trafficking;
- 2) add minors held in involuntary servitude or sexual servitude;
- 3) add mistake of age or consent of a minor as no defense from prosecution;
- 4) raise the punishment for involuntary servitude and sexual servitude from a Class F to a Class E felony;
- 5) define prostitution and make a violation a Class 1 misdemeanor;
- 6) provide that a minor arrested for prostitution would be immune from prosecution and shall be subject to temporary protective custody and the arresting officer shall immediately report an allegation of abuse and neglect to the county director of social services;
- 7) make solicitation of a sexual act punishable as a Class F felony or a Class C felony if the individual is a minor and is mentally disabled;
- 8) make promoting prostitution a Class F felony unless committed within 1,000 feet of a school and it is then a Class C felony and a second offense is to be punished as a Class C felony;

- 9) make promoting the prostitution of a minor a Class B2 felony unless committed within 1,000 feet of a school and it is then a Class B1 felony and a second offense is to be punished as a Class B1 felony;
- 10) make patronizing a prostitute a Class F felony unless committed within 1,000 feet of a school and it is then a Class C felony and a second offense is to be punished as a Class C felony;
- 11) make patronizing a minor engaged in prostitution a Class C felony unless committed within 1,000 feet of a school it is then a Class B2 felony and a second offense is to be punished as a Class B2 felony;
- 12) provide for law enforcement to impound the vehicle of anyone arrested for a violation of a prostitution offense and be charged a \$1,000 fee to recover the vehicle with \$500 of the fee going to the unit of government whose law enforcement officer made the arrest and \$500 going to the Crime Victim's Compensation fund;
- 13) provide for the expunction of a person's participation in a prostitution offense under certain conditions;
- 14) provide for mandatory restitution for victims of human trafficking; and
- 15) make clarifying and conforming changes to the laws.

**Introduced by Senators Goolsby, Barringer and Kinnaird, and referred to the Senate Judiciary I Committee.**

Date Prepared: April 05, 2013

This bill has passed the Senate Judiciary I Committee.

Date Prepared: May 10, 2013

This bill has passed the Senate and been assigned to the House Judiciary Subcommittee B.

Date Prepared: May 17, 2013

SENATE BILL 685, Concealed Handgun Permit/Certain Exceptions, would allow judges and justices of the General Court of Justice, magistrates, clerks of superior court or registers of deeds to carry a concealed handgun off of their own premises as long as they have been issued a concealed handgun permit and are not consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the person's body. This bill would also allow the judges, justices, magistrates, clerks of superior court and registers of deeds to carry a concealed handgun in areas where other carry concealed permit holders are prohibited from carrying a concealed handgun. **Introduced by Senator Goolsby, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

This bill would allow judges and justices of the General Court of Justice, magistrates, clerks of superior court or registers of deeds to carry a concealed handgun off of their own premises as long as they have been issued a concealed handgun permit and are not consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the person's body. This bill would also allow the judges, justices, magistrates, clerks of superior court and registers of deeds to carry a concealed handgun in areas where other carry concealed

permit holders are prohibited from carrying a concealed handgun. **Introduced by Senator Goolsby, and referred to the Senate Committee on Rules and Operations of the Senate.**  
Date Prepared: April 05, 2013

SENATE BILL 687, Involuntary Commitment Custody Orders, would allow a clerk or assistant or deputy clerk of superior court or a magistrate to issue by facsimile transmission an involuntary commitment custody order to a 24 hour facility when the respondent is already present at the facility. **Introduced by Senators Parmon and Brunstetter, and referred to the Senate Committee on Health Care.**  
Date Prepared: April 05, 2013

This bill would allow a clerk or assistant or deputy clerk of superior court or a magistrate to issue by facsimile transmission an involuntary commitment custody order to a 24 hour facility when the respondent is already present at the facility. **Introduced by Senators Parmon and Brunstetter, and referred to the Senate Committee on Health Care.**  
Date Prepared: April 05, 2013

This bill has passed the Senate Committee on Health Care and been referred to the Senate Committee Judiciary I.  
Date Prepared: April 19, 2013

SENATE BILL 689, Amend Trapping Law, would repeal the size restrictions on conibear type traps used for trapping beaver and otter. **Introduced by Senator Sanderson, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**  
Date Prepared: April 05, 2013

This bill would repeal the size restrictions on conibear type traps used for trapping beaver and otter. **Introduced by Senator Sanderson, and referred to the Senate Committee on Agriculture/Environment/Natural Resources.**  
Date Prepared: April 05, 2013

SENATE BILL 691, Unlawful to Assist Another to Commit Suicide, would establish a new section in Chapter 14 of the General Statutes that defines the offense of assisted suicide and makes it unlawful. **Introduced by Senators Sanderson, Brock and Cook, and referred to the Senate Committee on Health Care.**  
Date Prepared: April 05, 2013

This bill would establish a new law that would define the offense of assisted suicide and would make it unlawful. **Introduced by Senators Sanderson, Brock and Cook, and referred to the Senate Committee on Health Care.**  
Date Prepared: April 05, 2013

SENATE BILL 699, Judicial Appointment/Voter Retention, would provide for an amendment to the North Carolina Constitution to replace the election of justices and judges of the appellate division and judges of the superior court by gubernatorial appointment and retention election. The proposed method would also provide for a Judicial Nominating Commission and the

appointment and election of judges nominated by the Commission and chosen by the governor. The bill would also provide a vacancy in the office of the chief justice must be filled by gubernatorial appointment of one of the existing associate justices of the Supreme Court of North Carolina. **Introduced by Senator Clodfelter, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

This bill would allow voters to consider an amendment to the North Carolina Constitution to replace the election of justices and judges of the appellate division and judges of the superior court and would have these appointments to be by gubernatorial appointment and retention election. The proposed method would also provide for a Judicial Nominating Commission and the appointment and election of judges nominated by the Commission and chosen by the governor. The bill would also provide that a vacancy in the office of the chief justice must be filled by gubernatorial appointment of one of the existing associate justices of the Supreme Court of North Carolina. **Introduced by Senator Clodfelter, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

SENATE BILL 709, Allow DOT to set Maximum Speed of 75 MPH, would allow the Department of Transportation to increase the maximum speed limit from a 70 miles per hour to 75 miles per hour. **Introduced by Senators Hunt, Rabon and Harrington, and referred to the Senate Committee on Transportation.**

Date Prepared: April 05, 2013

This bill would allow the Department of Transportation to increase the maximum speed limit from 70 miles per hour to 75 miles per hour. **Introduced by Senators Hunt, Rabon and Harrington, and referred to the Senate Committee on Transportation.**

Date Prepared: April 05, 2013

This bill has passed the Senate and has been sent to the House for consideration.

Date Prepared: April 12, 2013

This bill has passed the Senate and been referred to the House Transportation Committee.

Date Prepared: April 19, 2013

This bill This bill was incorrectly reported in last week's Weekly Legislative Report as being passed by the General Assembly. The bill was defeated by the House on Thursday.

Date Prepared: June 28, 2013

SENATE BILL 713, Close ATM Loophole/Copper Purchasing Sites, would prohibit automated teller machines at a fixed site at which a secondary metals recycler purchases regulated metals property. **Introduced by Senator Bryant, and referred to the Senate Committee on Commerce.**

Date Prepared: April 05, 2013



This bill would prohibit automated teller machines at a fixed site at which a secondary metals recycler purchases regulated metals property. **Introduced by Senator Bryant, and referred to the Senate Committee on Commerce.**

Date Prepared: April 05, 2013

SENATE BILL 714, Permanent Plates for Rescue Unit/Squad, would authorize the Division of Motor Vehicles to issue permanent plates for vehicles owned by a rescue units or rescue squads. **Introduced by Senators Bryant and Newton, and referred to the Senate Committee on Finance.**

Date Prepared: April 05, 2013

This bill would authorize the Division of Motor Vehicles to issue permanent plates for vehicles owned by a rescue unit or rescue squads. **Introduced by Senators Bryant and Newton, and referred to the Senate Committee on Finance.**

Date Prepared: April 05, 2013

SENATE BILL 717, Notice of Inspection Law Violations, would provide that failure to provide a timely notice to inspection stations of a violation that could result in the suspension or revocation of an inspection station license shall result in the dismissal of the violation against the licensee. **Introduced by Senator Rabon, and referred to the Senate Committee on Transportation.**

Date Prepared: April 05, 2013

This bill would provide that failure to provide a timely notice to inspection stations of a violation that could result in the suspension or revocation of an inspection station license shall result in the dismissal of the violation against the licensee. **Introduced by Senator Rabon, and referred to the Senate Committee on Transportation.**

Date Prepared: April 05, 2013

SENATE BILL 718, I.B.P.O.E.W. Special Plate, would authorize the Division of Motor Vehicles to issue a special plate for the Improved Benevolent and Protective Order of the Elks of the World (I.B.P.O.E.W) bearing the phrase The Improved Benevolent and Protective Order of Elks of the World and the logo of the Improved Benevolent and Protective Order of Elks of the World. **Introduced by Senator Graham, and referred to the Senate Committee on Finance.**

Date Prepared: April 05, 2013

This bill would require the Division of Motor Vehicles to issue a special plate for the Improved Benevolent and Protective Order of the Elks of the World (I.B.P.O.E.W) bearing the phrase The Improved Benevolent and Protective Order of Elks of the World and the logo of the Improved Benevolent and Protective Order of Elks of the World. **Introduced by Senator Graham, and referred to the Senate Committee on Finance.**

Date Prepared: April 05, 2013

SENATE BILL 721, Election Omnibus, would provide for the use of a photo identification for everyone seeking to vote. The bill provides for a five year wait for restoration of citizenship rights and a unanimous approval of the county board of elections. The bill would also reduce

early voting to six days. **Introduced by Senator Newton, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

This bill would require the use of a photo identification for everyone seeking to vote. The bill provides for a five year wait after a felony conviction for restoration of citizenship rights and a unanimous approval of the county board of elections which then allows the individual to vote. The bill would also reduce early voting to six days. **Introduced by Senator Newton, and referred to the Senate Committee on Rules and Operations of the Senate.**

Date Prepared: April 05, 2013

SENATE BILL 724, Prohibited Imitation Controlled Substances, would repeal the current law regulating synthetic cannabinoids and add a new section that makes the manufacture, possession, sale, use and delivery of imitation controlled substances unlawful. The bill would define an imitation controlled substance as a pill, capsule, tablet, or substance in any form that is not a controlled substance but is represented to act like a controlled substance or its chemical structure is a derivative of or substantially similar to the chemical structure of a controlled substance.

**Introduced by Senator Davis, and referred to the Senate Committee on Health Care.**

Date Prepared: April 05, 2013

This bill would repeal the current law regulating synthetic cannabinoids and add a new section that makes the manufacture, possession, sale, use and delivery of imitation controlled substances unlawful. The bill would define an imitation controlled substance as a pill, capsule, tablet, or substance in any form that is not a controlled substance but is represented to act like a controlled substance or its chemical structure is a derivative of or substantially similar to the chemical structure of a controlled substance. **Introduced by Senator Davis, and referred to the Senate Committee on Health Care.**

Date Prepared: April 05, 2013

SENATE BILL 725, Governor's Proposed Budget, is identical to House Bill 974 which is summarized above. **Introduced by Senators Brunstetter, Hunt and Brown, and referred to the Senate Committee on Appropriations/Base Budget.**

Date Prepared: April 19, 2013

This bill is identical to House Bill 974 which is summarized above. **Introduced by Senators Brunstetter, Hunt and Brown, and referred to the Senate Committee on Appropriations/Base Budget.**

Date Prepared: April 19, 2013