

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

April 24, 2015

Next Thursday, April 30th is the “crossover” deadline for bills that do not involve funding to be passed out of the House and into the Senate (or vice versa) or they will no longer be eligible for consideration during this year’s and next year’s legislative session. Earlier this year when the deadline was first established, there was speculation that the legislature might extend it into May at the last minute. While that deadline is less than a week away, so far there has been no public discussion of extending the deadline.

The pace of activity has definitely picked up at the legislature with some committees scheduling additional meetings to supplement their regular meeting schedule, so that more bills can be considered. In the House, bills that are considered in committee are often sent directly to the House chamber for consideration by the full House that same day.

Once bills get scheduled for consideration in committee, it is not unusual for the persons interested in that bill, often along with the bill sponsor, to realize that the bill is not drafted exactly as desired. This often generates a flurry of activity with all of the persons interested in the bill working diligently to get the bill rewritten in order to address any concerns that have been identified. Much of this work then falls to the General Assembly staff to do the actual drafting of amendments and then entering them into the General Assembly’s computer system. Legislative staffers have been heard to remark this week that there have been several nights when some of them did not get home before midnight. Veteran legislative staffers are familiar with the long hours that must be worked in advance of deadlines, and some of the new legislative staffers are learning about the heavy workload this week.

The House and Senate adjourned on Thursday and will reconvene on Monday.

BILLS OF INTEREST

[HOUSE BILL 908](#), DEM/Emp. Retention Funds/LRC Study, would provide funds from the State General Fund to the Department of Public Safety (\$406,000 for the 2015-2016 fiscal year and an identical amount for the 2016-2017 fiscal year) in order to provide salary adjustments for the retention of employees in the Division of Emergency Management. Additionally, the Legislative Research Commission would be required to study whether an emergency management preparedness and response fee should be assessed on homeowners’, mobile home owners’, tenant homeowners’ and condominium unit owners’ property insurance policy for the purpose of funding the operations of the Division of Emergency Management. **Introduced by Representative Whitmire, and assigned to the House Committee on Appropriations.**

[HOUSE BILL 909](#), [Sale of Antique Spirituous Liquor](#), would provide for the issuance of an “antique spirituous liquor” permit which would allow the holder of a mixed beverages permit to sell antique spirituous liquor in retail settings for use in mixed beverages for consumption on the premises. Antique spirituous liquor would mean spirituous liquor that has been bottled for at least 20 years, is in the original, unopened bottle, is intended for beverage use, and is no longer in production. **Introduced by Representatives Hager and Bell, and assigned to the House Committee on Finance.**

[HOUSE BILL 913](#), [Naturopathic Doctors Licensing Act](#), is identical to Senate Bill 118 summarized in the February 27, 2015 Weekly Legislative Report. **Introduced by Representatives Collins and Fisher, and assigned to the House Committee on Health.**

[HOUSE BILL 915](#), [Veterans Plates/Vehicle Weight Restriction](#), would provide that the Division of Motor Vehicles would provide a special registration plate free of charge to certain eligible veterans (for example, Silver and Bronze Star recipients) if the vehicle weighs 17,000 pounds or less. Currently, these special registration plates are only provided free of charge for motor vehicles that weigh 6,000 pounds or less. **Introduced by Representatives Queen, Martin, Waddell and Speciale, and assigned to the House Committee on Transportation.**

[HOUSE BILL 922](#), [Video Sweepstakes Regulation and Taxation](#), would provide a process whereby electronic sweepstakes would be lawful in North Carolina if operated under a valid license issued by the North Carolina Department of Commerce (Department). Among the provisions in this bill:

1. “Electronic sweepstakes devices” would only be allowed to be operated in a licensed electronic sweepstakes establishment. An electronic sweepstakes device would be defined as an energy-driven device that is connected to a server through a local network that is capable of displaying “sweepstakes” results on the screen or other mechanism by a sweepstakes entrant. Sweepstakes would be defined as any game, advertising scheme or plan, or other promotion that, with or without the purchase of any good or service and without separate consideration, a person may enter to win or become eligible to receive any prize, the determination of which is based upon chance and in which there is a finite pool of entries.
2. In order to receive a license to operate an electronic sweepstakes device, the applicant would have to pay a fee to the Department of Commerce of \$250. If the applicant is a corporation, the corporation must be either incorporated in North Carolina or be authorized to transact business in the State. If the applicant is an individual or general partnership, the applicant must designate an agent for service of process and give the agent's name and address.
3. The Department of Commerce would deny the application if:
 - a. The applicant submitted false or misleading information on its application;
 - b. The applicant previously held a license issued by the Department and that license was revoked or has not been restored;

- c. The applicant has been convicted of a violation of federal gambling laws, or the gambling laws of any state, within five years of the date of the application; or
 - d. The applicant's background investigation shows a pattern of failure to exhibit good character and good standing in the community.
4. An authorized independent testing laboratory (as recognized by the Department) would be required to issue a certification report as to the electronic sweepstakes devices and all related software or hardware and other systems. The report would contain information concerning how each electronic sweepstakes device operates.
 5. An electronic sweepstakes device operator would not be able to be issued an ABC permit for the retail sale of alcoholic beverages at any location where sweepstakes are licensed to be played. The operator would also not be permitted to allow a person under the age of 18 to play the games. No offer or pay out of a single prize with a value of more than \$10,000 would be able to be awarded.
 6. A person operating electronic sweepstakes devices without a license would be guilty of a Class 2 misdemeanor, and subject to a minimum fine of \$25,000 and a maximum fine of \$100,000 and would be barred from obtaining a license. A person who willfully violated any of the provisions regulating sweepstakes devices would be subject to a civil penalty with a minimum fine of \$500 and a maximum fine of \$10,000.
 7. An excise tax of \$2,000 would be applied to each electronic sweepstakes establishment per year. An excise tax of \$1,000 would be levied on each electronic sweepstakes device annually and an excise tax of 4% of the taxable gross receipts from operating electronic sweepstakes devices would be levied on each electronic sweepstakes establishment.

A county or city would also be able, by resolution or ordinance, to impose an excise tax on each electronic sweepstakes establishment located in the county or city. This tax would be limited to an annual excise tax of \$1,000 on each electronic sweepstakes establishment and an annual excise tax of \$500 on each electronic sweepstakes device. At least 3% of the revenues collected by cities and counties would be required to be distributed to the county sheriff's office or the municipal police department of the taxing jurisdiction. The remainder of the revenues would be able to be used for any public purpose. **Introduced by Representatives Malone, Fraley, Baskerville and Jeter, and assigned to the House Committee on Finance.**

[HOUSE BILL 924](#), Highway Safety/Salary Changes, would provide that numeric results on an alcohol screening test (as opposed to actual alcohol concentration results) would be able to be used in determining if there are reasonable grounds or probable cause to believe the driver had committed an implied consent offense, or to prove the driver had an alcohol concentration above 0.00. Negative or low results on the alcohol screening test would be able to be used in factually

appropriate cases to determine whether a person's alleged impairment was caused by an impairing substance other than alcohol.

This bill would also clarify that no person would be able to sell or operate in North Carolina any motor vehicle manufactured after December 31, 1970 unless it was equipped with stop lamps, one on each side of the rear of the vehicle. Mopeds and motorcycles manufactured after December 31, 1970 would be required to be equipped with a single stop lamp on the rear of the motorcycle or moped.

For purposes of worker's compensation for state law enforcement officers, "salary" would mean the total base pay of a person as reflected on the person's salary statement.

Additionally, for the 2015-2016 fiscal year, the General Assembly would appropriate money to the Department of Public Safety to fund salary increases for members of the State Highway Patrol. **Introduced by Representatives Burr, Hager and Goodman, and assigned to the House Judiciary I Committee.**

[HOUSE BILL 927](#), Reestablish NC as the "Good Roads State", would make numerous increases to the various fees and taxes on drivers licenses and motor vehicle registrations to support the Highway Trust Fund. Among these changes:

1. The fee for a Class A, Class B, and Class C drivers license would be increased from \$4 to \$6. The fee for a motorcycle endorsement would be increased from \$1.75 to \$2.60.
2. A restoration fee for a revoked drivers license would be increased from \$50 to \$75. The restoration fee for a revoked drivers license that was revoked for an impaired driving offense would be increased from \$100 to \$250.
3. The fee for a limited learners permit or a limited provisional license would be increased from \$15 to \$22.50.
4. A duplicate drivers license fee would be increased from \$10 to \$15. An application for a certificate of title would be increased from \$40 to \$60 and the fees for other duplicate or replacement certificates or registration cards would all be increased from \$15 to \$22.50.

Introduced by Representatives Torbett, Iler, Shepard and Tine, and assigned to the House Committee on Transportation.

[HOUSE BILL 935](#), Criminal Procedure Changes/Drug Court Funds, would make numerous changes to the State's criminal law and procedure. Among these changes:

1. \$3.2 million would be appropriated for both the 2015-2016 fiscal year and the 2016-2017 fiscal year to restore State funding for drug treatment courts.

2. An investigative grand jury would be able to be convened on issues related to the illegal use of force by a law enforcement officer to compel compliance by an unwilling subject.
3. A proposed constitutional amendment would be submitted to voters which would allow a private party to retain private counsel to prosecute a felony without having to use the services of a district attorney. This attorney would be designated as a special prosecutor and would have the same authority and responsibility as a district attorney. If a district attorney is prosecuting a defendant for a felony offense, then a special prosecutor would not be able to prosecute the defendant for the same offense. Similarly if a special prosecutor is prosecuting a defendant for a felony offense, then the district attorney would not be able to prosecute the defendant for the same crime.
4. The Attorney General of North Carolina would be allowed to assist in the prosecution of criminal cases at the request of a clerk of court, registrar of deeds, or legislator. Currently, the Attorney General may assist in the prosecution of a criminal case only at the request of a district attorney.

Introduced by Representative Hall, and assigned to the House Committee on Appropriations.

[HOUSE BILL 938](#), Comprehensive Gaming Reform, would create the North Carolina State Gaming Commission (Commission) whose responsibilities would include overseeing the operation of gaming in North Carolina. The Commission would be located in the Department of Commerce.

1. The Commission would be composed of nine members, appointed by the Governor and the General Assembly.
 - a. Five members would be appointed by the Governor and at least one of the members would be required to have a minimum of five years experience in law enforcement, another would have to have experience in the gaming industry, and at least one member would have to have had experience in the boxing or martial arts industry.
 - b. Two members would be appointed by the General Assembly on the recommendation of the President Pro Tempore of the Senate, one of whom would have to be a certified public accountant.
 - c. Two members would be appointed by the General Assembly on the recommendation of the Speaker of the House of Representatives and one of those members would have to have retail sales experience as an owner or manager.
2. The powers and duties of the Commission would include the following:

- a. To administer and enforce the provisions of the North Carolina Electronic Sweepstakes Act (Act);
 - b. To adopt rules to implement the Act; and
 - c. To conduct background investigations, including criminal history record checks, of potential electronic sweepstakes operators and electronic sweepstakes vendors.
3. No electronic sweepstakes establishment would be allowed to operate in North Carolina without a valid license issued by the Commission. Only “electronic sweepstakes devices” would be allowed to be operated in a licensed electronic sweepstakes establishment. An electronic sweepstakes device would be defined as an energy-driven device that is connected to a server through a local network that is capable of displaying sweepstakes results on a screen or other mechanism by a sweepstakes entrant. Sweepstakes would be defined as any game, advertising scheme or plan, or other promotion that, with or without the purchase of any good or service and without separate consideration, that a person may enter to win or become eligible to receive any prize, the determination of which is based upon chance and in which there is a finite pool of entries.
 4. The standards for the issuance and revocation of an electronic sweepstakes license; testing of the machines; taxing of the devices and establishments by State and local governments; and civil and criminal penalties, are the same as those summarized above in House Bill 922.

Introduced by Representatives Warren, Waddell, Hardister and Lambeth, and assigned to the House Committee on Finance.

BILL STATUS

[HOUSE BILL 56](#), State Health Plan/Rehired Retiree Eligibility, has passed the House Committee on State Personnel with amendments.

[HOUSE BILL 91](#), Study Misuse of Handicapped Parking Placards, has passed the House and has been sent to the Senate for their consideration. The bill was amended to remove the language that would have required that only vans driven by or transporting handicapped persons, which are displaying the proper license plate or windshield placard, may park in spaces designated as van accessible that are restricted to vehicles transporting the handicapped. This leaves the amended bill with only the requirement for the Division of Motor Vehicles to conduct a study of ways to decrease the misuse of windshield placards issued to handicapped persons.

[HOUSE BILL 159](#), Dog Breeding Stds./Law Enforcement Tools, has passed the House and has been sent to the Senate for their consideration. This bill was amended to delete the entire contents of the previous bill and creates a new bill that establishes standards of care for large

commercial dog breeding facilities. Any person who owns or has custody of 10 or more female dogs over the age of 6 months that are capable of reproduction and kept primarily for the purpose of breeding and selling the offspring as pets would be required to provide to the dogs, among other things, access to exercise on a daily basis, fresh food and water, and appropriate veterinary care. Failure to comply with these standards would constitute a Class 3 misdemeanor punishable by a fine of no less than \$25 per animal, totaling no more than \$1,000, unless the individual has previously pled guilty or been found guilty of a violation, in which case the new violation(s) would constitute a Class 1 misdemeanor.

[HOUSE BILL 222](#), Retention Elections/Appellate Division, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 224](#), AOC Omnibus Changes.-AB, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 268](#), Amend Transportation Laws.-AB, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 302](#), Strengthen Oyster Industry, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 315](#), Sheriff & Landlord/Tenant-Writs of Poss. Chg., has passed the House and has been sent to the Senate for their consideration. This bill was amended to require the sheriff to return a writ for possession of real property unexecuted upon receiving a statement from the landlord that the landlord does not want to eject the tenant because the tenant has paid all court costs charged to the tenant and has satisfied the tenant's debts with the landlord. The bill also was amended to provide that all civil process fees would have to be collected in advance, except for suits *in forma pauperis* (as currently provided for in the law) or those fees contingent on sales prices or statutory commissions. Lastly, the new version of this bill would require the sheriff to collect a fee from a plaintiff for any orders of seizure and delivery of personal property to a plaintiff. The prior version of the bill required the clerk of superior court to collect an amount, not to exceed \$100.

[HOUSE BILL 318](#), Protect North Carolina Workers Act, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 327](#), Study EMS Safety, has passed the House, and has been assigned to the Senate Committee on Rules and Operations of the Senate. This bill was amended by the House to delete the entire contents of the previous bill and creates a new bill that directs the Department of Health and Human Services, Division of Health Service Regulation, in consultation with the North Carolina Medical Care Commission and the Department of Public Safety, Division of Emergency Management to study how emergency medical services personnel can protect themselves while performing their duties. This study would address issues such as crisis intervention courses, self-defense tactics, use of protective body garments and vests, and the use of non-lethal deterrents such as chemical irritants and conducted electrical weapons.

[HOUSE BILL 338](#), Fail to Obtain DL/Increase Punishment, has passed the House Judiciary II Committee with amendments.

[HOUSE BILL 350](#), Restore Driving Privileges/Competency, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 370](#), Certain Local Govts in State Health Plan, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 380](#), Statewide School Safety Management, has passed the House and has been sent to the Senate for their consideration. This bill was amended to remove the language that would have directed the Department of Public Safety's Division of Emergency Management and Center for Safer Schools to implement and maintain an anonymous tip line. This responsibility would be returned to the local school administrative units as provided for in current law. The bill was also amended to allow local school administrative units to provide local law enforcement agencies with keys to the main entrance of all school buildings in addition to emergency access to key storage devices.

[HOUSE BILL 383](#), Clarify Statutory Scheme/Sex Offenses, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 385](#), Sheriffs' Supp. Pension Fund Changes, has passed the House Committee on Pensions and Retirement with amendments. This bill was amended to add a provision to allow, in his/her discretion, a sheriff to use his/her sick leave that is creditable in the Local Governmental Employees' Retirement System to be applied to the sheriff's eligible service for purposes of the Sheriff's Supplemental Pension Fund. The sick leave could be applied to one fund or the other, but not both.

[HOUSE BILL 397](#), Clarify Protections/Exploitation of Elders, has passed the House and has been sent to the Senate for their consideration. This bill was amended to set out a process whereby personal property and financial assets of a defendant, that are not held in a financial institution, would be seized for a court to determine if the assets should be applied to satisfy the defendant's restitution obligation to any exploited older adult or disabled adult. Under this modification, it would be the duty of the law enforcement agency with territorial jurisdiction over the assets of the defendant to seize and store the defendant's assets and property pending the court's disposition of the assets and property.

[HOUSE BILL 422](#), Amend Funeral Procession Law, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 435](#), McDowell/Burke Firing from Road, has passed a second vote in the House, and has been reassigned to the House Committee on Rules, Calendar, and Operations of the House.

[HOUSE BILL 446](#), Amend Statutes Governing Bail Bondsmen, has passed the House Judiciary II Committee with amendments, and is scheduled to be considered by the House on Tuesday, April 28, 2015. This bill was amended to provide that bail bondsmen would also be allowed

access to the Administrative Office of the Court's civil information systems in addition to criminal.

[HOUSE BILL 456](#), Clarify Weight Limits/Ag. Vehicles, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 465](#), 72 Hours Informed Consent by Person or Phone, has passed the House and has been sent to the Senate for their consideration. This bill was amended to remove the language that prohibited state medical school departments from allowing employees to perform abortions. The bill was also amended to provide that a doctor who advises or causes a miscarriage or abortion after the 18th week of a woman's pregnancy would have to record the method used by the doctor to determine the probable age of the unborn child, the measurements of the unborn child and an ultrasound image of the child that depicts the measurements. The previous version of the bill required the physician to record this information after the 16th week of pregnancy.

[HOUSE BILL 523](#), Drivers License Designation/American Indian, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 550](#), Clarify Dealer Plate Requirements, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 560](#), Assault Emergency Workers/Hospital Personnel, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 594](#), Clarify Sale of Antique & Specialty Vehicles, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 659](#), Controlled Substances/Update Precursor List, has passed the House Judiciary III Committee, and has been scheduled for a vote in the House on Tuesday, April 28, 2015.

[HOUSE BILL 703](#), Cont. Task Force/Fraud Against Older Adults, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 711](#), Prohibit Counterfeit/Nonfunctional Air Bags, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 713](#), Body & Dash Cam Recording/Public Access, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 766](#), Amend CBD Oil Statute, has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 792](#), Privacy/Protection From Revenge Postings, has passed the House Judiciary IV Committee with amendments.

[HOUSE BILL 793](#), [Privacy/Up Secret Peeping Punishment](#), has passed the House Judiciary IV Committee.

[HOUSE BILL 794](#), [Protection from Online Impersonation](#), has passed the House Judiciary IV Committee with amendments. This bill was amended to remove the exception to the crime of online impersonation given to a person licensed under the Alarm Systems Licensing Board while engaged in the discharge of his/her duties.

[HOUSE BILL 824](#), [Concealed Handgun Permit/Admin. Law Judge](#), has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 850](#), [Eastern Band of Cherokees/Law Enforcement](#), has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 856](#), [Expunctions Changes](#), has passed the House Judiciary I Committee with amendments. This bill was amended to provide that if a person is convicted of more than one “youthful drug offense” in the same session of court, then the convictions are to be treated as one youthful drug conviction and an expunction order must provide that the multiple convictions are to be expunged from the person’s record. A youthful drug offense would be defined as a conviction for any violation of G.S. 90-95(a)(3) (possession of a controlled substance) or G.S. 90-113.22 (possession of drug paraphernalia) where the defendant is less than 25 years old at the time of the offense. The person would be allowed to petition for expunction of up to two youthful drug offense convictions if the person has no misdemeanor or felony convictions, other than a traffic or boating violation, for at least 10 years before filing the petition, and can provide proof that he/she has been drug free for at least a year.

[HOUSE BILL 879](#), [Juvenile Code Reform](#), has passed the House and has been sent to the Senate for their consideration.

[HOUSE BILL 880](#), [Detain Respondents for First Examinations](#), has passed the House and has been sent to the Senate for their consideration.

[SENATE BILL 22](#), [Historic Artifact Mgt. and Patriotism Act](#), has passed the Senate and has been sent to the House for their consideration. This bill was amended to remove the language which made it an infraction for an employee of the State to violate the requirement that the United States or State of North Carolina flags in the possession of the State, counties, or cities be handled, displayed and stored in accordance with federal law.

[SENATE BILL 83](#), [Criminal Law/Filing False Document](#), has passed the Senate Judiciary II Committee with amendments. This bill was amended to delete the entire contents of the previous bill and creates a new bill that provides the same authority to clerks of superior court that registers of deeds have when presented with a document they suspect to be false. Clerks of superior court would be authorized to refuse to file a lien or encumbrance against the property of public officials or their family members if the clerk has a reasonable suspicion that the lien or encumbrance is false. The clerk of superior court would be required to file stamp the document but would not be allowed to index or docket the document until it is approved for filing by any judge of the judicial district having subject matter jurisdiction.

[SENATE BILL 182](#), [Automatic License Plate Readers](#), has passed the Senate Judiciary II Committee with amendments. This bill was amended to allow data obtained by an automatic license plate reader system to be preserved for more than 90 days if it is needed to prove a violation of a motor carrier safety regulation.

[SENATE BILL 198](#), [Persons Under 18 in Confinement Facilities](#), has passed the Senate Judiciary II Committee with amendments. This bill, as originally introduced, provided that whenever possible, persons under the age of 18 should not be housed in the same local confinement facility (jails) as persons age 18 and older. However, if persons under the age of 18 are housed in the same jail as persons age 18 and older, then a complete sight and sound barrier would have to be created between the two categories of inmates. The original version applied to all existing jails.

The bill was amended to apply only to Requests for Proposals for letting of public contracts issued on or after the day the bill would potentially become law. Therefore, the bill as amended, appears to apply only to new construction jails or existing jails that undertake remodeling or expansion efforts.

[SENATE BILL 212](#), [Handgun Standards for Retired Sworn LEO](#), has passed the Senate and has been sent to the House for their consideration.

[SENATE BILL 286](#), [Regulate the Sale of E-Liquid Containers](#), has passed the Senate and has been sent to the House for their consideration. This bill was amended to remove the language that required e-liquid containers to be labeled with safety warnings consistent with rules adopted by the North Carolina Commission for Public Health. The bill also was amended to make it a Class A1 misdemeanor for any person, firm, or corporation to sell or introduce into commerce an e-liquid container for an e-liquid product containing nicotine unless the packaging for the e-liquid product states that the product contains nicotine.

[SENATE BILL 288](#), [Amend Laws Regarding Mental Commitment Bars](#), has passed the Senate Judiciary II Committee with amendments. This bill was amended to remove the proposed change to the current law that would have removed a portion of the language that a finding that an individual lacks the capacity to manage the individual's own affairs due to marked subnormal intelligence or mental illness, incompetency, condition, or disease must be transmitted by the clerk of superior court to the National Instant Criminal Background System (NICS). The previous version of the bill would have deleted the terms "condition" and "disease."

[SENATE BILL 298](#), [School Bus Cameras/Civil Penalties](#), has passed the Senate and has been sent to the House for their consideration.

[SENATE BILL 327](#), [Allow Prize-Linked Savings Accounts](#), has passed the Senate and has been sent to the House for their consideration.

[SENATE BILL 345](#), [Limit Storage Fees on Damaged Vehicle](#), has passed the Senate Judiciary II Committee with amendments. This bill was amended to provide that a motor vehicle that is towed and stored by a law enforcement agency after a collision cannot be held for evidence for more than 20 days without a court order. Absent a court order, the vehicle would have to be

released to the owner or persons with an ownership interest, once the towing and storage fees have been paid (cannot be in excess of \$500).

[SENATE BILL 349](#), Restore Driving Privileges/Competency, has passed the Senate, has been assigned to the House Committee on Transportation.

[SENATE BILL 370](#), E-Signatures/Vehicle Title and Registration, has passed the Senate and has been sent to the House for their consideration.

[SENATE BILL 391](#), Enjoin Street Gang/Expires in Three Years, has passed the Senate and has been sent to the House for their consideration. This bill was amended to provide that a civil injunction prohibiting street gang activity as a public nuisance would expire one year after the entry of the order enjoining that activity unless the order was extended by the court following a hearing, for good cause. The previous version of the bill provided that these orders would expire after three years.

[SENATE BILL 445](#), Burt's Law, has passed the Senate, and has been assigned to the House Judiciary II Committee.

[SENATE BILL 570](#), Expunction/Boat Violation, has passed the Senate Judiciary II Committee with amendments and has passed a second vote in the Senate. This bill was amended to provide that no person could be denied expunction of a criminal record for which they are otherwise eligible solely because the person had a conviction for a misdemeanor boating violation (was, boating violation).

[SENATE BILL 578](#), Transition Certain Abuse Investigations/DCDEE, has passed the Senate Committee on Health Care with amendments. This bill was amended to remove the language that required an operator of a childcare facility to contact the Department of Health and Human Services to check the status of a potential employee in the Child Maltreatment Registry prior to employing that individual.

[SENATE BILL 621](#), Registration Renewal Notice/E-Mail.-AB, has passed the Senate and has been sent to the House for their consideration.

[SENATE BILL 661](#), Private Labs Must Comply with CODIS, has passed the Senate, has been assigned to the House Judiciary II Committee.

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

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