
FINAL LEGISLATIVE REPORT

2019

North Carolina Sheriffs' Association



North Carolina Sheriffs' Association
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NORTH CAROLINA SHERIFFS' ASSOCIATION

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The 2019 Session of the North Carolina General Assembly convened on January 30, 2019 and adjourned on November 15, 2019. Because this was an unusually long Session, an “Interim” Legislative Report was published in October 2019 so staff of the North Carolina Sheriffs’ Association could conduct NCSA’s Annual Legislative Update Training while the General Assembly continued to work. It is our customary practice to conduct this training once the General Assembly adjourns and leaves Raleigh, but as astute readers of the Association’s Weekly Legislative Reports will know, this Session the General Assembly remained very active well past the common July or August adjournment date.

During the 2019 Session of the General Assembly, 1,031 House Bills and 702 Senate Bills were introduced, for a total of 1,733 new legislative bills available for consideration. Of the eligible legislative bills, 272 of them were enacted into law. Governor Roy Cooper signed 197 bills, allowed 3 to become law without his signature, and vetoed 14 bills with 3 of the Governor’s vetoes being overridden by the General Assembly.

Some bills are enacted into law by the General Assembly and do not go to the Governor for signature. For example, “local” bills (which are those that affect 14 or fewer counties) and bills authorizing a vote on an amendment to the North Carolina Constitution do not go to the Governor for his signature.

This Final Legislative Report of the North Carolina Sheriffs’ Association summarizes bills of interest to sheriffs, sheriffs’ office personnel and other criminal justice professionals that have been enacted into law this Session. For specific details about the legislative bills summarized below, please review the actual legislation. Any of the legislation introduced or considered by this year’s General Assembly is available on the General Assembly’s website: www.ncleg.net. You may also receive one copy of any bill, free of charge, by calling the General Assembly’s Printed Bills Office at 919-733-5648. They will need to know if it is a House Bill or Senate Bill and the bill number; for example, Senate Bill 8.

The General Assembly will reconvene on January 14, 2020. If the State Budget Bill or any other bills of interest to the criminal justice community are enacted into law then, we will publish a Special Legislative Report with the details.

HOUSE BILLS

[HOUSE BILL 29](#), [Standing Up for Rape Victims Act of 2019](#), enacts G.S. 15A-266.5A to establish a statewide protocol for the processing and testing of Sexual Assault Examination Kits (SAEKs). For any SAEK that is collected [on or after July 1, 2019](#), the bill requires the collecting entity, such

as a hospital, to report to a law enforcement agency the use of the SAEK no later than 24 hours after the collection of samples has been completed.

The law enforcement agency that was notified of the completion of the SAEK is required to take custody of the SAEK within seven days of receiving this notification and is required to retain and preserve the SAEK. The law enforcement agency must submit the SAEK to the North Carolina State Crime Laboratory, or another laboratory approved by the State Crime Laboratory, within 45 days of taking custody of the completed SAEK if the victim has consented to participating in the criminal justice process. For any SAEK that is reported to a law enforcement agency where the victim does not consent to participate in the criminal justice process, the law enforcement agency is required to submit the “unreported” SAEK to the North Carolina Department of Public Safety for storage within 45 days of the agency taking custody of the completed SAEK.

Enacted G.S. 15A-266.5A(d) requires every law enforcement agency that possesses SAEKs completed on or before January 1, 2018 to establish a review team to conduct a case review of each SAEK to determine the priority for submitting untested SAEKs to the State Crime Laboratory, or an approved laboratory for testing. The bill requires the establishment of the review team no later than three months after the September 18, 2019 effective date of the bill. In addition, the review team must complete their review of all untested SAEKs no later than six months following the September 18 effective date.

In addition, enacted G.S. 15A-266.5A(d)(3) prohibits law enforcement agencies from submitting for testing any untested SAEKs under the following circumstances: (1) the allegations are unfounded; (2) the victim does not consent to participate in the criminal justice process; or (3) a criminal prosecution has resulted in a conviction and the defendant does not seek DNA testing and the defendant’s DNA profile has already been entered into the Federal Bureau of Investigation’s DNA identification system (CODIS).

Enacted G.S. 15A-266.5A(h) requires the North Carolina Department of Justice, the North Carolina Conference of District Attorneys, the North Carolina Victims Assistance Network and the North Carolina Coalition Against Sexual Assault to jointly develop and provide sexual assault response and training programs to law enforcement and SAEK review teams. The training programs must include training on sexual assault investigations, including how to interact with victims of sexual assault, and on the collection, storage, tracking and testing of SAEKs.

The bill also amends G.S. 15A-266.8 to require law enforcement agencies that receive a CODIS hit when they submit a suspect’s DNA sample to provide to the State Crime Laboratory an electronic notification of the arrest within 15 days of the arrest of the person. The bill requires the law enforcement agency to also electronically notify the State Crime Laboratory of any person convicted of a crime that resulted from a CODIS hit within 15 days from the date of conviction.

Finally, the bill appropriates \$3 million in nonrecurring funds to the North Carolina Department of Justice for the 2019-2020 fiscal year and \$3 million in nonrecurring funds for the 2020-2021 fiscal year to be used to assist in the testing of untested SAEKs.

Effective: September 18, 2019

[HOUSE BILL 67](#), [Road Barrier Prohibition](#), amends G.S. 136-26 to clarify that the Class 1 misdemeanor offense of driving onto roadways that have been closed by the North Carolina Department of Transportation due to construction will also apply to roadway closures due to hazardous conditions.

Amends to G.S. 136-26 to also clarify that this misdemeanor offense will not apply to law enforcement, first responders, emergency management personnel, or Department of Transportation personnel when they are acting within the scope of their official duties. In addition, it will not apply to individuals who are working on the installation, restoration or maintenance of utility services, so long as the work is being conducted in coordination with the North Carolina Department of Transportation.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 75](#), [School Mental Health Screening Study](#), amends G.S. 115C-105.57 to require the North Carolina Center for Safer Schools to conduct an annual census of school resource officers (SROs) working in public schools. The North Carolina Center for Safer Schools is also required to report the following information annually to the Joint Legislative Education Oversight Committee and to the North Carolina State Board of Education:

1. The total number of SROs in the State at each public school.
2. For each SRO, their education level, years as a sworn law enforcement officer and years of service as an SRO.
3. The training required of SROs and the training actually completed by the SRO.
4. The funding source for each SRO.
5. The location of the SRO in terms of grade level supervision and type of public school.
6. The percentage of SROs assigned to more than one school.
7. The employing law enforcement agency of each SRO.

The bill enacts G.S. 115C-105.60 to require the Superintendent of the North Carolina Department of Public Instruction (DPI) to establish the School Resource Officer Grants Program. Public schools, including charter schools, are allowed to apply for SRO grants that may be used to either employ or train SROs. In order to qualify for these grant funds, a public elementary or middle school is required to have an assessment performed, in conjunction with a local law enforcement agency, that will identify the school's needs for improving safety.

In administering the SRO grants, the Superintendent of DPI is required to consider, at a minimum, the level of resources available to the public school, whether the public school has previously

received school safety grants, and the overall impact on school safety if the SRO grants are awarded to the school.

The bill repeals the School Safety Grants Program enacted in the Appropriations Act of 2018 (the 2018 “State Budget Bill”) and instead requires the Superintendent of DPI to establish the “2019 School Safety Grants Program” for the purpose of improving school safety.

Public schools, including charter schools, are allowed to apply for grants under the 2019 School Safety Grants Program to pay for services for students in crisis, school safety training and for safety equipment in schools. In order to qualify for these grants, a public secondary school is required to have an assessment performed, in conjunction with a local law enforcement agency, to help identify current and ongoing safety needs. In administering the school safety grants, the Superintendent of DPI is required to consider, at a minimum, the level of resources available to the public school, whether the public school has previously received school safety grants, and the overall impact on school safety if the grants are awarded to the school.

The bill appropriates the following funds to the North Carolina Department of Public Instruction to award grants under the 2019 School Safety Grants Program:

1. \$6.1 million in nonrecurring funds for the 2019-2020 fiscal year to award grants for school safety equipment and related training.
2. \$4.5 million in nonrecurring funds for the 2019-2020 fiscal year to award grants for providing training to students, school employees and first responders on how to improve school safety and to respond to trauma and significant stress.
3. \$4.5 million in nonrecurring funds for the 2019-2020 fiscal year to award grants for providing crisis services for students, such as behavioral therapy, parent-child interaction therapy and peer-to-peer mentoring.
4. \$3 million in recurring funds for the 2019-2020 fiscal year and \$6 million in recurring funds for the 2020-2021 fiscal year to award grants for the employment and training of School Resource Officers.

The bill requires the North Carolina Department of Public Instruction and the North Carolina Center for Safer Schools, in consultation with the North Carolina Department of Health and Human Services and the North Carolina Department of Public Safety, Division of Emergency Management, to develop a recommended Mental Health Crisis Response Program to allow for the temporary transfer of school mental health personnel from one school administrative unit to another school administrative unit in times of crisis, such as immediately following an act of mass violence at a school.

The bill also requires the North Carolina Department of Public Instruction to submit a report on the recommended Mental Health Crisis Response Program to the Joint Legislative Education Oversight Committee no later than March 15, 2020.

Finally, the bill appropriates to the North Carolina Department of Public Safety funds to employ eight new full-time agent positions at the North Carolina State Bureau of Investigation that will be tasked with supporting the Behavioral Threat Assessment program (BeTA). The purpose of the BeTA program is to work with local law enforcement and local communities to identify, investigate, assess and manage threats of targeted attacks such as mass violence at schools, places of worship or other areas of large gatherings.

Effective: July 1, 2019

[HOUSE BILL 80, Waterfowl Hunting/Roanoke Rapids Lake](#), is a local act that makes it unlawful during the waterfowl seasons to leave unattended or unoccupied between two hours after sunset and 4:00 A.M. any equipment or vessels, such as temporary blinds, decoys, and boats that may be used for the purpose of taking migratory waterfowl, such as ducks.

A violation is a Class 2 misdemeanor and is enforceable by law enforcement officers of the North Carolina Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by other peace officers with subject matter jurisdiction.

This bill applies only to Roanoke Rapids Lake in Halifax and Northampton counties.

Effective: October 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 82, Railroad Crossings/On-Track Equipment](#), amends G.S. 20-4.01 to include the definition of “on-track equipment” within our motor vehicle laws. On-track equipment, now defined in G.S. 20-4.01(24b), means any railcar, rolling stock, equipment vehicle or other device that is operated on stationary rails.

The bill amends G.S. 20-142.1 to require a vehicle approaching a railroad signaling device or railroad crossing to stop for any “on-track equipment” in the same manner as currently required for stopping a vehicle for a train.

The bill also amends G.S. 20-142.3 to require the driver of the following types of vehicles to always stop at railroad tracks that are not protected by gates or signals and to look and listen for trains and on-track equipment: (1) school buses; (2) activity buses; (3) motor vehicles that carry passengers for compensation; and (4) any other motor vehicle that has a capacity to hold 16 or more passengers. Currently, the operators of these types of vehicles must stop at tracks unprotected by gates or signals to look and listen for trains.

Finally, the bill amends G.S. 20-142.5 to make it an infraction for the driver of a motor vehicle to enter onto any railroad crossing in a manner that would obstruct the passage of on-track equipment. Currently, it is an infraction for the driver of a motor vehicle to obstruct the passage of a train at a railroad crossing.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 98, Macon/Clay/No Right-of-Way Spotlighting](#), is a local act that makes it a class 2 misdemeanor to intentionally shine a light at night on any wild animal from the right-of-way of any public road, street or highway in Brunswick, Macon and Clay counties for the purpose of hunting.

Currently, North Carolina Wildlife Resources Commission rules allow certain wild animals such as raccoon and opossum to be hunted at night with the use of artificial lights, while other wild animals, such as deer, may not be hunted at night with the use of artificial lights.

This new law only applies to the counties of Brunswick, Macon and Clay.

Effective: October 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 99, Transfer ALE/Move Boxing Advisory Commission](#), enacts G.S. 143B-990 to establish Alcohol Law Enforcement (ALE) as a special division of the North Carolina Department of Public Safety (DPS). Currently, ALE is a branch of the North Carolina State Bureau of Investigation (SBI).

The bill amends G.S. 18B-500 to allow the Secretary of DPS to appoint and supervise the Director of the new ALE Division. Currently, the Director of the SBI has this supervisory authority. Amended G.S. 18B-500 also allows the Director of the new ALE Division to appoint ALE personnel and to make all hiring and other personnel decisions within the ALE Division. Currently, the Director of the SBI has this authority.

Amended G.S. 18B-500 also modifies the law enforcement jurisdiction of ALE agents. Currently, ALE agents may arrest for any criminal offense at any time, although their primary responsibility is the enforcement of alcoholic beverage control (ABC) laws, lottery laws and youth tobacco laws. Amended G.S. 18B-500(b) modifies and limits the jurisdiction of ALE agents to:

1. The enforcement of other criminal laws only when the crime occurs or is encountered or discovered on a premises that has been issued or that is applying for a permit by the ABC Commission or the North Carolina Education Lottery Commission, or occurring elsewhere where the unlawful conduct is related to these premises.
2. The enforcement of other criminal laws only when the crime is encountered or discovered during the investigation or enforcement of ABC laws, lottery laws, or youth tobacco laws.
3. Crimes committed in the ALE agent's presence.
4. Enforcement actions when assisting another law enforcement agency.
5. Enforcement actions for any crime of violence or breach of the peace, or as directed by the Governor or Secretary of DPS when needed for security at a public event or for protection of persons or property because of a disaster or state of emergency.

Finally, amended G.S. 18B-500(b2) clarifies that the primary responsibility of ALE agents is the enforcement of ABC laws, lottery and gaming laws, and youth tobacco laws.

Effective: October 1, 2019

[HOUSE BILL 100](#), [DOT Budget for 2019-2021 Biennium](#), amends G.S. 20-79.4(b)(94) to reduce the number of years in age for a vehicle to qualify for an antique registration plate to 30 years old. Previously, a vehicle was required to be at least 35 years old to qualify for an antique vehicle registration plate.

Effective: October 18, 2019 and applies to applications for antique registration plates made on or after that date.

[HOUSE BILL 106](#), [PED/Inmate Health Care Reimbursement](#), makes numerous changes to North Carolina law designed to contain the cost of providing medical care to inmates in the Division of Adult Correction and Juvenile Justice (DACJJ) of the North Carolina Department of Public Safety (DPS). The provisions of interest to the criminal justice community include:

1. Effective July 19, 2019, DPS is required to develop a plan to increase the use of the Central Prison Healthcare Complex (CPHC). The plan must include policies for ensuring non-life-threatening emergencies for male inmates within a 60-mile radius of Raleigh are treated at the CPHC urgent care facility. The plan must also include a cost comparison of health care services performed by outside health care providers, including cost of transportation, with those provided at CPHC and at the North Carolina Correctional Institution for Women (NCCIW).

The plan must also include a comprehensive review of the current usage of health care facilities at both CPHC and NCCIW, and how the usage of those facilities can be maximized. Finally, the plan must contain an analysis of the costs associated with providing long-term health care services for inmates with serious chronic illnesses.

The bill requires DPS to submit this plan to the Joint Legislative Oversight Committee on Justice and Public Safety no later than December 1, 2019.

2. Effective October 1, 2019, the bill requires DPS and the North Carolina Department of Health and Human Services (DHHS) to work together to enable social workers in the Health Services Section of DPS to assist inmates to qualify for and receive Medicaid reimbursement for medical services provided.

The bill enacts G.S. 143B-707.5 to require social workers in the Health Services Section that perform administrative duties related to Medicaid eligibility to attend quarterly Medicaid “eligibility determination training” that will be provided by DHHS.

Newly enacted G.S. 143B-707.5 also requires the Health Services Section social workers to document the criteria used to determine when an application for Medicaid should be submitted and what criteria is used to determine an inmate does not qualify for Medicaid.

The social worker must also maintain an electronic record of each inmate's Medicaid eligibility, in addition to the number of Medicaid applications submitted, the number and percentage of applications approved, and the number of applications denied or withdrawn.

3. Effective July 19, 2019, the bill requires the Health Services Section of DPS to issue two requests for proposals (RFPs) for the development of an electronic supply inventory management system that will: (1) document the arrival and departure of medical supplies at DPS facilities; (2) identify which DPS employees have custody of the medical supplies at any given point; and (3) ensure that an adequate amount of the medical supplies are available.

DPS must submit the results of the RFPs to the Joint Legislative Oversight Committee on Justice and Public Safety and to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety no later than December 1, 2019.

4. Effective July 19, 2019, the Health Services Section of DPS is required to develop a telemedicine pilot program to provide health services to inmates located in remote correctional facilities. The goal of this pilot program is to assess whether the use of telemedicine in correctional facilities will improve access to adequate medical care while decreasing the costs associated with inmate transportation and payment of outside health care provider costs.
5. Finally, effective July 19, 2019, DPS is required to partner with DHHS to facilitate DPS completing the application process for inclusion in the federal 340B program. This program requires pharmaceutical companies to sell medications to qualified health care providers at discounted rates.

The bill requires DPS to report to the Joint Legislative Oversight Committee on Justice and Public Safety and to the Fiscal Research Division the progress of implementing the 340B program no later than October 1, 2019, and requires DPS to report annually thereafter the savings achieved by participating in the program, beginning October 1, 2020.

[HOUSE BILL 108](#), PED/Safekeeper Health Care Cost Recov. Pract., amends G.S. 162-39 to require the North Carolina Department of Public Safety (DPS) to maintain records of safekeeper transfers for better tracking of medical and mental health related costs. A safekeeper is an inmate confined in a local confinement facility (i.e. county jail) that is transferred to a Division of Adult Correction and Juvenile Justice (DACJJ) prison facility due to safety concerns or for medical reasons.

Amended G.S. 162-39(b1) requires DPS to maintain the following information for all safekeepers:

1. The date the transfer order was received and from what county.
2. The actual date of transfer and to what DACJJ facility the prisoner was taken.

3. The reason the prisoner was transferred.
4. All dates the prisoner received health care services and the exact cost and type of services.
5. The date DPS determined the prisoner no longer needed DPS services, the date DPS notified the county that the prisoner was ready to be returned to the county, and the actual date of return.

Amended G.S. 162-39(c) requires the county to reimburse the transportation and custody costs associated with providing safekeepers medical and mental health care if provided outside of State facilities. The reimbursement rate for mileage and custody is the same rate currently paid to counties under the Statewide Misdemeanant Confinement Program. Counties will also be required to reimburse DPS for any sick call visits a safekeeper has while in a prison facility at the same rate charged to a State prisoner for a sick call visit.

The bill enacts G.S. 148-19.3(b) to require DPS to annually update the schedule of charges assessed to counties for medical services that are provided to safekeepers. In doing so, DPS is required to take into account the current established Medicaid rate for the particular medical service that is being provided. This schedule of charges was last updated by DPS in 2009.

Amended G.S. 162-39(d) also limits the initial time period a safekeeper will stay in the custody of the DACJJ to a period of 30 days. DACJJ is required to have their medical or mental health professionals conduct an assessment of the prisoner during this 30-day period and to make recommendations as to whether the prisoner should remain in the custody of the DACJJ or be returned to the county. To have the safekeeper order extended beyond the initial 30-day period, the sheriff is required to provide the DACJJ assessment and any other relevant information to a district or superior court judge, who will make a determination as to whether the safekeeper should remain in DACJJ custody beyond the initial 30-day period.

If the court decides to extend the safekeeper order beyond the initial 30-day period, the court must set a date certain to have the matter brought back to court for further review. In the event the order is extended, DACJJ is required to conduct another assessment of the prisoner prior to the next scheduled hearing. When the court makes a determination that the prisoner should no longer remain in the custody of the DACJJ, the sheriff must assume custody of the prisoner within 10 days, as noted below.

Amended G.S. 162-39(f) requires a county to reimburse DPS up to an additional \$20 per day for each day a safekeeper prisoner remains in DACJJ custody beyond their release date back to the county if the sheriff fails to assume custody of the prisoner at the prison facility within 10 days of receiving notification that the inmate has been ordered to be transferred back to the county. This \$20 fee is in addition to the \$40 daily rate of reimbursement to DPS for housing the prisoner. In addition, if DPS is required to transport the prisoner back to the county because the sheriff does not assume custody of the prisoner, the county must also pay the transportation costs associated with returning the prisoner to the county.

This additional \$20 per day fee will not apply if the sheriff obtains an order extending the safekeeper order because the inmate cannot be safely housed in the county jail. Finally, the Health Services Section of the North Carolina Department of Public Safety is authorized to waive up to 10 days of the additional \$20 per day fee if the sheriff provides documentation of extenuating circumstances justifying the delay. The bill does not define what constitutes extenuating circumstances.

Newly enacted G.S. 148-19.3(a) requires DPS to notify the sheriff or the sheriff's designee by telephone and electronic mail that a court has determined a safekeeper can be safely returned to the county.

In addition, newly enacted G.S. 148-19.3 requires all medical invoices for health care services provided to safekeepers to be submitted by the health care provider directly to the Inmate Medical Costs Management Plan (Plan) through the North Carolina Sheriffs' Association. Newly enacted G.S. 148-19.3(a) requires the Plan to review and negotiate all invoiced charges for medical services provided to safekeepers to avoid overpayment by the county for medical care and to reduce overall health care service costs.

In the event a health care provider submits an invoice to DPS in error, DPS is required to forward the invoice to the Plan within three days of receipt of the invoice. Once medical invoices are processed by the Plan, all unreimbursed charges will be documented and presented by the Plan to the county directly for payment. Currently, DPS submits payment directly to the health care provider without negotiating the charges invoiced for medical services and the county is required to reimburse DPS.

Note: The way in which the new changes in the law for safekeepers are written appear to not apply to Statewide Misdemeanant Confinement Program inmates that are sent to DACJJ for safekeeping. This oversight was the subject of a technical corrections bill, [SENATE BILL 419, Technical and Other Changes](#), but this bill failed to pass the General Assembly this legislative session. We anticipate that legislation will be considered in the next legislative session that will correct this oversight. The North Carolina Sheriffs' Association SUPPORTED – HIGH PRIORITY [HOUSE BILL 108](#) and will continue to support any future effort to correct this oversight.

Effective: October 1, 2019

[HOUSE BILL 111, Supplemental Appropriations Act](#), amends Section 5 of [House Bill 1001, Raise the Age Funding](#), which was enacted into law on October 14, 2019, to make the following appropriations to the North Carolina Department of Public Safety (DPS) in anticipation of key provisions of the Juvenile Justice Reinvestment Act (“raise the age”) coming into effect December 1, 2019: (1) \$27 million in funds are appropriated to DPS for the 2019-2020 fiscal year to assist with implementing the “raise the age” legislation; and (2) \$39 million in funds are appropriated to DPS for the 2020-2021 fiscal year to assist with implementing the “raise the age” legislation.

Effective: July 1, 2019

[HOUSE BILL 130](#), Allow Game Nights, enacts new provisions in our State's gaming laws in Chapter 14 of our General Statutes to authorize nonprofit organizations to hold "game nights" and to allow for the consumption of alcohol at these game nights. The provisions of interest to the criminal justice community include:

1. Enacts new G.S. 14-309.26 to allow a nonprofit organization that has been in continuous existence for at least 5 years to hold a game night at which games of chance are played and allows for the consumption of alcoholic beverages at game nights held at facilities with alcoholic beverage permits.
2. Enacts new G.S. 14-309.27 to require a nonprofit organization to first complete an application to obtain a permit from Alcohol Law Enforcement (ALE) prior to holding a game night. The application for a permit must be submitted to ALE at least 30 days prior to the game night event at a cost of \$100 for each permit. The following information must be submitted to obtain a permit:
 - (i) The name and address of the tax-exempt organization and name and address of the person submitting the application on behalf of the organization.
 - (ii) Verification of the organization's tax-exempt status.
 - (iii) The date, time, location, and duration of the game night.
 - (iv) The games that will be operated at the game night.
 - (v) The name and address of any person, firm or corporation that will operate the game night (such as an amusement company).
 - (vi) A description of the specific area within the premises where the game night will be held.
3. Enacts new G.S. 14-309.28 to place the following limitations on game night events held by a nonprofit organization:
 - (i) A nonprofit organization is limited to holding four game night events per year and no more than one game night event may be held in any given quarter of the calendar year.
 - (ii) A game night event may not be longer than five hours in length.
 - (iii) No more than two game night events may be held in the same building, hall or structure during the same calendar week. If two game nights are held at a particular location the same calendar week, it may not be held by the same nonprofit organization.

- (iv) No game night event may be held between the hours of 2:00 a.m. and 12:00 p.m. on Monday through Sunday or between the hours of 2:00 a.m. and 2:00 p.m. on Sunday.
 - (v) Any facility that is licensed to sell alcoholic beverages, such as a hotel banquet facility, may not hold more than two game nights in any calendar month.
4. Enacts new G.S. 14-309.29 and G.S. 14-309.30 to allow game night participants to purchase chips, markers or tokens to play only the following games of chance: (i) roulette; (ii) blackjack; (iii) poker; (iv) craps; (v) simulated horse race; and (vi) merchandise wheel of fortune.

Participants are prohibited from winning cash from playing these games of chance. Instead, the chips, markers or tokens won from playing these games must be exchanged for raffle tickets and prizes won through raffles.

5. Enacts new G.S. 14-309.31 to require the net proceeds of a game night event to benefit the nonprofit organization holding the event, as opposed to benefiting some other organization, and requires the net proceeds to be used to further the tax-exempt purposes of the nonprofit organization.
6. Enacts new G.S. 14-309.32 to make a violation of any of the game night laws and permitting requirements a Class 2 misdemeanor criminal violation under the State's gambling laws.
7. Enacts new G.S. 14-309.33 to specify these game night events may only be held in those areas of the State east of Interstate 26, as that interstate highway was located on November 28, 2011. Interstate 26 runs through the western part of North Carolina, from the Tennessee border to the South Carolina border. Therefore, game nights may not be held in places such as Cherokee and Waynesville, North Carolina.
8. Enacts new G.S. 14-309.35 and G.S. 14-309.36 to allow vendors, such as amusement companies, to apply for a permit from ALE at a cost of \$2,500 annually in order to lawfully receive compensation for providing game night equipment at game night events and to transport gaming tables and other gaming equipment to and from game night events. The vendor must also register all gaming tables and other gaming equipment with ALE and a sticker issued by ALE must be affixed to each gaming table or gaming equipment.
9. Finally, the bill enacts new G.S. 14-309.34 to allow employers with 25 or more employees and trade associations with 25 or more members to hold a game night event so long as there is no cost to the attendees and provided all application, permitting and

other restrictions described above for holding a game night event for nonprofit organizations are met.

Effective: June 1, 2019

[HOUSE BILL 138](#), [Damage Jail & Prison Fire Sprinkler/Penalty](#), amends G.S. 14-286 to make it a Class H felony for an inmate of a prison or local confinement facility, such as a county jail, to intentionally damage, deface or interfere with a fire-alarm, fire-detection system, smoke-detection system or a fire-extinguishing system. This includes damage to a sprinkler head. Currently, it is a Class 2 misdemeanor to commit such an offense.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 179](#), [Mini-Truck Classification](#), amends G.S. 20-4.01 to include the definition of “mini-truck” within our motor vehicle laws. A mini-truck, now defined in G.S. 20-4.01(27), means a four-wheel motor vehicle with an engine displacement of 660 cubic centimeters or less that is designed primarily for the transportation of property, has an overall length of 130 inches (10 feet) or less, has an overall width of 60 inches (5 feet) or less, and has an overall height of 78 inches (6 ½ feet) or less. Mini-trucks are small light trucks, also known as micro-trucks, that are often used for low tonnage delivery services in urban areas.

The bill also amends G.S. 20-121.1 to limit the use of mini-trucks to streets and highways where the posted speed limit is 55 miles per hour or less. Amended G.S. 20-121.1 also requires mini-trucks to be insured and registered with the North Carolina Division of Motor Vehicles and they must be equipped with the common safety features associated with a motor vehicle, such as headlamps, stop lamps, turn signal lamps, tail lamps, windshield wipers, speedometer, and seat belts.

Effective: June 21, 2019

[HOUSE BILL 198](#), [Human Trafficking Commission Recommendations](#), amends G.S. 14-43.13 to clarify that the criminal offense of sexual servitude also includes a person who obtains another for the purpose of sexual servitude. Therefore, the amendment criminalizes “buyer” conduct. Currently, the offense is limited to those persons who knowingly or recklessly subject or maintain a person for sexual servitude.

The bill enacts G.S. 14-208.1 to create the new criminal offense of “promoting travel for unlawful sexual conduct.” A person commits this Class G felony offense if the person sells or offers to sell any travel services, such as a travel package, that the person knows includes travel for the purpose of engaging in conduct such as prostitution, sexual exploitation of a minor, or indecent liberties with a minor.

The amendments to G.S. 14-43.13 and G.S. 14-208.1 are effective December 1, 2019 and apply to offenses committed on or after that date.

The bill also enacts G.S. 14-43.18 to create a new civil claim for a victim of human trafficking that will allow the victim to collect from a person who violates the State's human trafficking laws money damages, attorneys' fees, and compensation for things such as loss of income and costs associated with medical care, psychological treatment, temporary housing, transportation and any other services designed to assist the human trafficking victim with recovery.

New G.S. 14-43.18 will allow a human trafficking victim to file the civil claim within 10 years of the abuse occurring, or if the victim was a minor, within 10 years after reaching the age of 18. These provisions are effective July 1, 2019 and apply to civil causes of action occurring on or after that date.

The bill enacts G.S. 15A-145.9, effective December 1, 2019, to expand the ability of a human trafficking victim to obtain an expunction of nonviolent misdemeanor or felony convictions so long as the court finds that the victim was "coerced or deceived" into committing the offense(s) as a result of being the victim of human trafficking. Class A through G felony offenses and certain serious misdemeanor offenses, such as those involving assault, stalking, or that would require registration under our sex offender registry laws, are not eligible for expunction.

New G.S. 15A-145.9 requires the human trafficking victim to file the petition for expunction with the court in the county of conviction. The petition must contain the following information:

1. An affidavit stating the petitioner is a victim of human trafficking and that they were coerced or deceived into committing the criminal offense as a direct result of being a human trafficking victim.
2. An affidavit stating that the petitioner has no orders of restitution or civil judgments for amounts owed that are outstanding.
3. A statement indicating the petition for expunction is a motion in the case in which the petitioner received a criminal conviction.
4. Finally, the petitioner must submit an application form developed by the North Carolina Administrative Office of the Courts for filing such petitions in superior court. Once filed by the petitioner, the clerk of superior court is required to forward the application to the North Carolina Department of Public Safety, which is required to conduct a criminal history search of the petitioner.

New G.S. 15A-145.9 clarifies that any person receiving an expunction under these provisions must still disclose the criminal conviction that was expunged to the North Carolina Sheriffs' Education and Training Standards Commission and the North Carolina Criminal Justice Education and Training Standards Commission if the person is seeking certification through these commissions.

Currently, a human trafficking victim may obtain an expunction of a prostitution offense if they otherwise qualify for an expungement.

Finally, the bill amends G.S. 7B-3200, effective December 1, 2019, to remove the 18-month waiting period to petition for an expunction of certain juvenile delinquency adjudications for juvenile offenders whose participation in the offense was the result of having been the victim of human trafficking or sexual servitude.

Currently, a petition for expunction of certain delinquency adjudications must be filed at least 18 months following the juvenile's release from juvenile court jurisdiction and the juvenile must not have had any additional delinquency adjudications or criminal convictions in that 18-month period.

[HOUSE BILL 206](#), [Various Transportation Changes](#), amends G.S. 20-37.6(d) to clarify that a designated handicapped parking space also includes the clearly marked access aisles for the parking space. Any vehicle without a handicapped placard that blocks clearly marked access aisles will be subject to the same penalties applicable to parking within the handicapped parking space.

Effective: August 21, 2019

[HOUSE BILL 217](#), [DIT Changes.-AB](#), amends G.S. 143B-1402 to expand the authority of the North Carolina 911 Board (Board) to allow the Board to establish mandatory telecommunicator training and certification requirements for telecommunicators not employed by sheriffs' offices. Currently, only the North Carolina Sheriffs' Education and Training Standards Commission has the authority to establish the training and certification standards of telecommunicators.

The bill amends G.S. 143B-1400 to define a "telecommunicator" as a person qualified to provide 911 call taking who is employed by a Public Safety Answering Point (PSAP), including 911 call takers, dispatchers, radio operators and data terminal operators.

The bill amends G.S. 143B-1406(f) to require telecommunicators not employed by sheriffs' offices to complete a minimum of 40 hours of training from a nationally recognized training course for 911 telecommunicators within one year of the date of their employment. This training requirement applies to telecommunicators beginning employment on or after July 1, 2019. The training may be substituted with the basic telecommunicator course offered by the North Carolina Sheriffs' Education and Training Standards Commission or a similar training acceptable to the employer.

Amended G.S. 143B-1406(f) also requires telecommunicators not employed by sheriffs' offices to complete an emergency medical dispatch course that is either nationally recognized or approved by the North Carolina Office of Emergency Medical Services no later than July 1, 2020. For telecommunicators that are employed after this date, the emergency medical dispatch course must be completed within six months of the date of employment.

Amended G.S. 143B-1406(f)(5b) specifies that these telecommunicator training requirements do not apply to sheriffs' office telecommunicators that have completed telecommunicator training through the North Carolina Sheriffs' Education and Training Standards Commission.

The bill amends G.S. 17E-7 to require that all telecommunicators employed by a municipal (city, town, etc.) police agency on or after July 1, 2021 meet the telecommunicator training and standards

through the North Carolina Sheriffs' Education and Training Standards Commission, and they will be exempted from oversight by the 911 Board.

The bill amends G.S. 143B-1406(f) to require all PSAPS to deploy equipment, products and services on or before July 1, 2020 that will enable the PSAP to receive and process calls for emergency service via text messaging.

Finally, the bill amends G.S. 143B-1379 to require any county or municipal government agency to report to the North Carolina Department of Information and Technology (DIT) any "cybersecurity incident" that occurs within the agency. The reporting requirement is intended to assist DIT in preventing, responding to, and obtaining information about cybersecurity incidents within State government.

The bill amends G.S. 143B-1320 to define "cyber security incident" as an occurrence that either (1) actually or imminently jeopardizes the integrity, confidentiality or availability of information or an information system; or (2) that constitutes a violation or imminent threat of violation of law or policy related to security, privacy or acceptable use of information technology.

Effective: August 21, 2019

[HOUSE BILL 224](#), Assault w/Firearm on LEO/Increase Punishment, amends G.S. 14-34.5 to increase the penalty from a Class E felony to a Class D felony for any person to commit an assault with a firearm upon a law enforcement officer, probation officer or parole officer while the person is in the performance of their official duties. The penalty for committing an assault with a firearm upon any person employed and in the performance of their duties at a State or local government detention facility, such as a county jail, is also increased from a Class E felony to a Class D felony.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 228](#), Modernize Laws Pertaining to NC Medical Board, enacts G.S. 14-27.33A to create the new criminal offense of "Sexual contact or penetration under pretext of medical treatment." "Sexual contact" is defined as the intentional touching of the patient's intimate parts for the purpose of sexual arousal or gratification, or if it is done for a sexual purpose or in a sexual manner.

Newly enacted G.S. 14-27.33A also defines "sexual penetration" as various sexual acts, such as intercourse, cunnilingus, fellatio or any other intrusion of the patient's body, if it can reasonably be construed as being done for the purpose of sexual arousal or gratification, or if it is done for a sexual purpose or in a sexual manner.

It is a Class C felony for any person to provide medical treatment, such as a medical examination or medical procedure, and to engage in any form of sexual contact or sexual penetration of a patient for the purpose of sexual arousal or gratification, or if done for any sexual purpose or in a sexual manner. This applies whether the patient is incapacitated, such as through sedation, or whether the medical provider represents to the patient that the sexual contact or sexual penetration will be beneficial to the health of the patient and the conduct is allowed by the patient to occur.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 257](#), Motorcycles/Face Masks, amends G.S. 14-12.11 to allow the operator of a motorcycle on a public road or highway to use a “facemask” to protect the operator’s head or face. Currently, it is unlawful to wear a mask in public to conceal the identity of a person, unless certain exceptions apply, such as on the Halloween holiday.

The bill requires the operator of the motorcycle to remove the facemask during a traffic stop or when approached by a law enforcement officer. It is a Class 1 misdemeanor to fail to remove the facemask during a traffic stop or when approached by a law enforcement officer.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 283](#), Conner’s Law, amends G.S. 14-34.5, effective December 1, 2019, to increase the penalty from a Class E felony to a Class D felony for a person to commit an assault with a firearm on a law enforcement officer, probation officer or parole officer while in the performance of their duties.

The bill amends G.S. 14-34.6, effective December 1, 2019, to increase the penalty from a Class H felony to a Class G felony for a person to commit an assault on a firefighter, emergency medical technician or emergency health care provider, medical responder, or hospital personnel (including hospital security personnel) if a deadly weapon other than a firearm is used in the commission of the crime or if the assault resulted in serious bodily injury. The penalty is increased from a Class F felony to a Class E felony if the offender used a firearm in the commission of the assault.

The bill amends G.S. 143-166.3 creating an additional \$100,000 death benefit for the spouse, dependents, or dependent parents of a law enforcement officer or other “covered person” who is “murdered in the line of duty” on and after July 1, 2016. A covered person currently includes State and local law enforcement officers and will also apply to detention officers working for a sheriff, custodial employees of the North Carolina Department of Public Safety (DPS), to probation and parole officers employed by DPS and to various other persons listed in the statute.

G.S. 143-166.2 is amended to define “murdered in the line of duty” as the death of a covered person that is killed in the line of duty in a manner reasonably determined by the North Carolina Industrial Commission to be directly caused by the intentional harmful act of another person.

This new \$100,000 death benefit for a law enforcement officer that is murdered in the line of duty is in addition to the current \$100,000 death benefit under G.S. 143.166.3(a) and any other death benefit the family may be entitled to receive through a claim filed with the North Carolina Industrial Commission.

However, this new death benefit will not become effective until the General Assembly appropriates the funds necessary to implement the benefit and this bill does not appropriate funding for the new benefit.

[HOUSE BILL 323](#), Assess Costs of Local LEO Crime Lab Analysis, amends G.S. 7A-304 to clarify that the \$600 crime laboratory fee that can be assessed upon a defendant's conviction in a criminal case involving laboratory analysis will be extended to apply to all laboratories, including private laboratories used by law enforcement agencies. Currently, the fee is limited to those laboratory facilities operated by a local government or group of local governments.

Effective: July 1, 2019 and applies to laboratory costs assessed in a criminal case on or after that date.

[HOUSE BILL 324](#), Local Hunting Omnibus, is a local act that makes it unlawful to discharge a firearm from, to, or across a roadway of any State maintained road in Caldwell, Cleveland, Cumberland, and Yancey counties. Currently, this restriction only applies to centerfire rifles.

Additionally, the bill provides all law enforcement officers with the authority to enforce the provisions of this law. Currently, the landowner or lessee of the land where a firearm is fired must request the assistance of law enforcement before law enforcement can enforce this provision.

Finally, the bill creates an open season for taking foxes with weapons and for foxes and coyotes by trapping during the trapping season. In addition, there is no bag limit for the taking of foxes and coyotes.

This bill applies only to Caldwell, Cleveland, Cumberland, and Yancey counties.

Effective: October 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 325](#), Opioid Epidemic Response Act, amends G.S. 90-113.22 and G.S. 90-113.22A to allow a person that is using an unlawful controlled substance, or that intends to use one, to lawfully possess drug paraphernalia to test the strength, effectiveness or purity of the controlled substance in question. The bill also allows a governmental or nongovernmental organization that promotes reducing health risks associated with drug use to possess drug paraphernalia testing equipment without it being a crime.

Currently, it is a Class 1 misdemeanor to possess drug paraphernalia testing equipment and a Class 3 misdemeanor if the drug paraphernalia testing equipment is used to test marijuana.

Effective: July 22, 2019

[HOUSE BILL 363](#), Craft Beer Distribution & Modernization Act, amends G.S. 18B-1104(a)(8) to increase the amount of malt beverage a small brewery can sell to an unaffiliated retail permittee without having to use a wholesale distributor from 25,000 barrels annually to 50,000 barrels annually. This increase only applies to a brewery that sells annually fewer than 100,000 barrels of malt beverage to consumers at the brewery, wholesalers, retailers and exporters.

These barrel limits apply regardless of the number of separate Alcoholic Beverage Control (ABC) Commission permits a brewery may possess. Currently, only a brewery permittee that sells fewer

than 25,000 barrels of malt beverages per year may obtain a malt beverage wholesaler permit to distribute the malt beverages manufactured by the brewery.

Amended G.S. 18B-1104(a)(8) also clarifies that the ABC Commission is prohibited from granting an exemption to allow a brewery permittee to have more than three additional retail locations within the State, unless the Commission makes a determination that it is not contrary to public interest to grant such an exemption.

Finally, the bill reaffirms North Carolina's use of the "three-tiered system" to distribute alcoholic beverages in the State. The three-tiered system refers to the State being involved in the transportation, distribution and sale of distilled liquor, as opposed to transportation, distribution, and sale occurring by private businesses.

Effective: May 30, 2019

[HOUSE BILL 368](#), [Bermuda Run/Speed Restrictions](#), is a local act that establishes a 25 mile per hour speed limit on all public vehicular areas (PVAs) inside the Town of Bermuda Run. These speed restrictions will only be effective on PVAs that have been marked by signs giving notice of the speed restrictions. A violation of any duly posted 25 mile per hour speed limit will be punished as an infraction.

This bill ONLY applies to the Town of Bermuda Run.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 389](#), [ABC/Univ Athletic Facility](#), amends G.S. 18B-1006(a) to allow for alcohol sales to the general public at a stadium, athletic facility, or arena on the campus or property of a public college or university. This allowance does not apply to a community college. Previously, alcohol sales to the general public at a stadium, athletic facility, or arena on the property of a public college or university was prohibited.

The bill requires the Board of Trustees of the public college or university to vote to authorize alcohol sales to the general public at a stadium, athletic facility, or arena before a permit can be obtained from the North Carolina Alcoholic Beverage Control Commission (ABC Commission). In addition, the Board of Trustees of the public college or university must give the ABC Commission written notice that it has voted to authorize alcohol sales at one of these facilities located on the campus of the public college or university.

Although the bill authorizes the sale of alcohol to the general public at a stadium, athletic facility, or arena on the campus or property of a public college or university, mixed beverages may not be sold at these facilities during a sports event sponsored by the college or university.

Finally, amended G.S. 18B-1006(a)(7) allows for the sale of certain alcoholic beverages at any owned or leased public college or university stadium that supports certain NASCAR-sanctioned race tracks (such as Bowman Gray Stadium that is the home of Winston-Salem State University football), regardless of whether or not the event is sponsored or funded by the public college or

university. Previously, alcohol sales were only allowed at these NASCAR-sanctioned race tracks if the event was not sponsored or funded by the public college or university.

Effective: June 26, 2019

[HOUSE BILL 391](#), Passenger Protection Act, amends G.S. 20-280.5, effective October 1, 2019, to require a driver for a transportation network company (TNC), such as Uber or Lyft, to display the license plate number of the driver's vehicle in a location that is visible from the front of the vehicle at the beginning of service and at all times during service. The bill also enacts G.S. 14-401.26, effective December 1, 2019 and applicable to offenses committed on or after that date, to make it an infraction punishable by a \$250 fine for a TNC driver to fail to display the license plate number of the driver's vehicle in a location that is visible from the front of the vehicle at all times during service.

The bill amends G.S. 20-280.5, effective July 1, 2020, to require TNC drivers to display on their vehicles at all times during service distinctive signage or emblems that will alert the public that the vehicle is operating for a TNC and is responding to a ride request. The signage that is used on all TNC vehicles must be approved by the North Carolina Division of Motor Vehicles (DMV) before use. TNC companies may apply for a waiver of this signage requirement through the DMV if there is a suitable technological identifier that will alert customers and assist with identifying the vehicle, such as through an automatic text message that is sent to the customer upon the vehicle's arrival.

The bill enacts G.S. 14-401.27, effective December 1, 2019 and applicable to offenses committed on or after that date, to create the new criminal offense of "Impersonation of a transportation network company driver." It is a Class 2 misdemeanor for any person to impersonate a TNC driver by making any false statement or false representation that the person is responding to a TNC ride request or that they are affiliated with a TNC company, or by falsely displaying any logo, branding or trademark that falsely represents the person as a TNC driver or that they are affiliated with a TNC, or by engaging in any other act that falsely represents the person has a current connection with a TNC.

The bill makes the impersonation of a TNC driver a Class H felony if the offender impersonates a TNC driver during the commission of a felony. For example, it would be a Class H felony to impersonate a TNC driver and to kidnap or rape a victim that made a ride request.

Finally, the bill amends G.S. 14-33(c), effective December 1, 2019 and applicable to offenses committed on or after that date, to make it a Class A1 misdemeanor for any person to assault a TNC driver that is providing service.

[HOUSE BILL 415](#), Photos of Juveniles/Show-ups, amends G.S. 7B-2103(c1) to clarify that State law requires an investigator to photograph a juvenile suspect who is 10 years of age or older at the time and place of a "show-up" if the juvenile is suspected of committing certain specified crimes such as common law robbery, arson, murder or sex offenses.

Amended G.S. 7B-2103(c1) also clarifies that these photographs are not public record and must also be kept separate from the records of adults. Finally, the photograph can only be viewed without a court order by: (1) the juvenile or the juvenile's attorney; (2) the juvenile's parent or guardian; (3) the prosecutor; or (4) court counselors.

Effective: June 26, 2019

[HOUSE BILL 449](#), [Handicapped & Special Registration Plates](#), amends G.S. 20-37.6(b) to allow a non-handicapped registered owner of a motor vehicle to apply for a handicapped license plate or removable handicapped windshield placard if the registered owner certifies that they are the guardian or parent of a handicapped person. Amended G.S. 20-37.6(b) requires the non-handicapped registered owner of the vehicle to recertify every five years that they remain the guardian or parent of the handicapped person.

The bill amends G.S. 20-37.5 to define a guardian as a person or agency awarded custody of a juvenile or a guardian that has been appointed by a court to perform duties relating to the care, custody, and control of a person adjudicated incompetent.

The bill also amends G.S. 20-79.4(b) to authorize the North Carolina Division of Motor Vehicles to produce special registration plates commemorating the following: (1) ALS research; (2) Keeping The Lights On (to commemorate utility line workers); (3) POW/MIA Bring Them Home; and (4) the Town of Wrightsville Beach. The bill amends G.S. 20-79.7 to set the cost of the ALS and Keeping The Lights On special registration plates at \$30, in addition to the regular motor vehicle registration fees. The cost of the POW/MIA and Wrightsville Beach special registration plates are \$20, in addition to the regular motor vehicle registration fees.

Effective: March 1, 2020

[HOUSE BILL 470](#), [Administration of Justice Changes](#), amends G.S. 15A-502(f) to clarify that if a person charged with a criminal offenses is ordered by a court to submit to fingerprinting by a law enforcement agency other than a sheriff's office, such as during a first appearance, the law enforcement agency so ordered (not the sheriff) is required to report back to the court if the person failed to submit to fingerprinting. If the sheriff's office is the designated law enforcement agency in the order, current law requires the sheriff to report back to the court if the person fails to submit to fingerprinting as ordered.

Effective: November 6, 2019

[HOUSE BILL 474](#), [Death by Distribution](#), enacts new G.S. 14-18.4 to create the criminal offenses of "death by distribution of certain controlled substances" and "aggravated death by distribution of certain controlled substances."

The Class C felony of death by distribution of certain controlled substances in newly enacted G.S. 14-18.4(b) is committed when a person causes the death of another person, without malice, by the unlawful sale of certain drugs, such as opium, opium derivatives, cocaine, methamphetamine or depressants.

The Class B2 felony of aggravated death by distribution of certain controlled substances in newly enacted G.S. 14-18.4(c) is committed when a person causes the death of another person, without malice, by the unlawful sale of the types of drugs listed above and the person distributing the drugs has a previous conviction for causing the death of another person by the distribution of drugs, or for trafficking in drugs within the previous seven years.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 546](#), Prohibit Counterfeit/Nonfunctional Airbags, amends G.S. 20-4.01 to include definitions for various components within a vehicle's safety system. Amended G.S. 20-4.01(1) defines "airbag" as a motor vehicle inflatable restraint system device that is part of a "supplemental restraint system."

The bill amends G.S. 20-4.01(46a) to define a "supplemental restraint system" as an inflatable motor vehicle crash protection system that is designed for use in conjunction with a seatbelt and includes one or more airbags and associated components to ensure the airbag works as designed by the manufacturer.

The bill amends G.S. 20-4.01(4b) to define a "counterfeit supplemental restraint system component" as a replacement supplemental restraint system component, including an airbag, that displays a mark that is the same or substantially similar to the mark of a manufacturer or supplier of parts to the manufacturer, without the authorization of the manufacturer or supplier.

The bill also amends G.S. 20-4.01(23a) to define "nonfunctional airbag" as a replacement airbag that meets any of the following criteria: (1) The airbag was previously damaged or deployed; (2) the vehicle is returned to the customer with a detected diagnostic fault in the airbag system that is not corrected; (3) the airbag contains a part or object that has been installed to mislead the owner or operator that there is a functioning airbag; or (4) the airbag is subject to a recall.

Finally, the bill amends G.S. 20-136.2(a) to clarify that it is a Class 1 misdemeanor to "import, manufacture, sell, offer for sale or to distribute" a nonfunctional airbag or a counterfeit supplemental restraint system or any other component device that causes the vehicle to fail to meet federal safety standards. Currently, it is a Class 1 misdemeanor to install or reinstall any object in lieu of an airbag that was designed for the make and model year of the vehicle.

Amended G.S. 20-136.2(a) also makes it a Class H felony if any person, firm or corporation violates the prohibition against importing, manufacturing, selling, distributing or installing a nonfunctional airbag or a counterfeit supplemental restraint system and that violation contributes to a person's physical injury or death.

Effective: October 1, 2019 and applies to offenses committed on or after that date.

[HOUSE BILL 609](#), Salary Increases/Adult Correctional Employees, appropriates to the North Carolina Department of Public Safety (DPS) \$35.9 million in recurring funds for the 2019-2020

fiscal year and \$56.8 million in recurring funds for the 2020-2021 fiscal year to award salary increases to State employees working in State adult correctional facilities.

Effective July 1, 2019, a State employee that is employed in a State adult correctional facility and was employed in a State-funded position on June 30, 2019 will be awarded a salary increase of 2.5 percent of the employee's annual salary for the 2019-2020 fiscal year. Similarly, effective July 1, 2020, a State employee that is employed in a State adult correctional facility and was employed in a State-funded position on June 30, 2020 will be awarded a salary increase of 2.5 percent of the employee's annual salary for the 2020-2021 fiscal year.

These legislative increases in salary will not apply to an employee that is separated from service due to resignation, dismissal, reduction in force, death, or retirement prior to the June 30 cut-off date for each fiscal year, or whose last work day is prior to this date.

The bill also requires a pay differential increase for any correctional officer that is required to move from a lower custody level State correctional facility to a higher custody level State correctional facility. The bill provides for the following pay differential increase:

1. A correctional officer moving from a minimum custody facility to a medium custody facility is entitled to a pay differential increase of 10 percent of the employee's base salary.
2. A correctional officer moving from a medium custody facility to a close custody facility is entitled to a pay differential increase of 10 percent of the employee's base salary.
3. Finally, a correctional officer moving from a minimum custody facility to a close custody facility is entitled to a pay differential increase of 20 percent of the employee's base salary.

Finally, the bill creates a base salary supplement of at least \$2,500 annually (the "base supplement rate") for employees of DPS who are assigned to work at high-need correctional facilities. Of the total funds listed above appropriated to DPS, \$15 million must be used to provide these high-need facility salary supplements. A high-need correctional facility is defined as one of the following, based on staffing vacancies:

1. Level I - A correctional facility that has an employee vacancy rate of at least 20 percent for at least 12 months in the prior fiscal biennium. Employees assigned to a Level I facility will receive a supplement equal to the \$2,500 base supplement rate.
2. Level II - A correctional facility that has an employee vacancy rate of at least 25 percent for at least 12 months in the prior fiscal biennium. Employees assigned to a Level II facility will receive a supplement equal to \$5,000, twice the base supplement rate.
3. Level III - A correctional facility that has an employee vacancy rate of at least 30 percent for at least 12 months in the prior fiscal biennium. Employees assigned to a Level III facility will receive a supplement equal to \$7,500, three times the base supplement rate.

Effective: July 1, 2019

[HOUSE BILL 629](#), Law-Enforcement Mutual Aid, amends G.S. 160A-288 to allow a North Carolina municipal or county police department or a sheriff's office to provide assistance to, or receive assistance from, an out-of-state municipal police department, county police department or sheriff's office if the laws of the other state allow for such mutual assistance between law enforcement agencies. Previously, North Carolina law enforcement agencies could provide mutual assistance to other North Carolina law enforcement agencies but not to an out-of-state law enforcement agency.

Effective: July 19, 2019

[HOUSE BILL 747](#), NC Missing Person Information Sharing, amends G.S. 143B-1015 to specify that a law enforcement agency may enter at any time missing or unidentified persons information into the National Missing and Unidentified Persons System (NamUS) created by the United States Department of Justice's National Institute of Justice.

In addition, amended G.S. 143B-1015 requires a law enforcement agency to enter missing or unidentified person information into NamUS when either a missing person has been missing for more than 30 days, a missing child has been missing for more than 30 days or an unidentified person has not been identified for more than 30 days following the person's death.

A law enforcement agency entering information into NamUS is required to include all information regarding the missing or unidentified person or child, including medical records, DNA records and dental records. The bill also requires the law enforcement agency to update NamUS if a missing person or child is found or an unidentified person is identified.

Effective: October 1, 2019

[HOUSE BILL 760](#), Expand Loss Prevention Investigations, amends G.S. 74C-3(b)(14), effective October 1, 2019, to clarify that any employee of a private business whose primary duty involves loss prevention or that conducts investigations related to the location, disposition or recovery of lost or stolen property reasonably believed to be owned by the business would not be required to be licensed by the North Carolina Private Protective Services Board (PPSB). Currently, only an employee of a security department that conducts investigations exclusively on matters internal to the private business are exempt from the PPSB licensure requirements.

The bill amends G.S. 14-100, effective December 1, 2019 and applying to offenses committed on or after that date, to make changes to the criminal offense of obtaining property by false pretenses. Amended G.S. 14-100 clarifies that the prosecution is not required to establish that all of the acts constituting the crime of obtaining property by false pretenses occurred in this State or within a single city, county, or local jurisdiction of this State. Therefore, it is not a defense to the crime that some of the acts constituting obtaining property by false pretenses occurred outside of the State of North Carolina, or that they occurred in more than one county within the State.

[HOUSE BILL 917](#), Emergency Declaration/Clarify Road Closure, amends G.S. 166A-19.31(b)(1) to specifically authorize counties and cities to include in their local emergency ordinances the authority to close roads during a locally declared state of emergency. The bill specifies that the local emergency ordinance may designate the sheriff to exercise the authority to close roads in a locally declared state of emergency in addition to those individuals already authorized to close roads under a local state of emergency declaration.

Amended G.S. 166A-19.31(b)(1) also specifies that the local emergency ordinance may authorize closure of virtually any transportation route in the geographic area covered under a locally declared state of emergency, including routes not owned by that unit of government, such as State roads and highways. It also requires that the county or city notify the North Carolina Department of Transportation of the closure(s) as soon as practicable.

Effective: July 8, 2019

[HOUSE BILL 1001](#), Raise the Age Funding, appropriates the following funds in anticipation of key provisions of the Juvenile Justice Reinvestment Act (“Raise the Juvenile Age”) coming into effect December 1, 2019:

1. \$30.9 million in funds for the 2019-2020 fiscal year and \$43.5 million in funds for the 2020-2021 fiscal year are appropriated to the North Carolina Department of Public Safety to assist with implementing the “Raise the Juvenile Age” legislation. Among other things, these funds will be used to house and transport juveniles that are within the criminal justice system.
2. \$87,681 in recurring funds are appropriated to the North Carolina Office of Indigent Defense Services for the 2019-2020 fiscal year and \$109,131 in recurring funds for the 2020-2021 fiscal year to assist with implementing the “Raise the Juvenile Age” legislation.
3. \$373,000 in recurring funds are appropriated to the North Carolina Administrative Office of the Courts (AOC) for the 2019-2020 fiscal year and \$1.3 million in recurring funds for the 2020-2021 fiscal year to create seven new deputy clerk positions and seven district court judge positions.
4. \$1.3 million in recurring funds for each fiscal year of the 2019-2021 fiscal biennium and \$46,000 in nonrecurring funds for the 2019-2020 fiscal year are appropriated to AOC to create nine assistant district attorney positions and three district attorney legal assistant positions.
5. An additional \$879,000 in recurring funds for the 2020-2021 fiscal year are appropriated to AOC to create seven assistant district attorney positions starting in the 2020-2021 fiscal year.

Effective: July 1, 2019

SENATE BILLS

[SENATE BILL 9](#), [Female Genital Mutilation/Clarify Prohibition](#), enacts G.S. 14-28.1 to create the felony offense “Female genital mutilation of a child.” It a Class C felony to knowingly circumcise, excise, or infibulate (the surgical removal of the female genitalia) the whole or any part of the labia majora, labia minora, or clitoris of another person who has not attained the age of 18 years.

Newly enacted G.S. 14-28.1 also make it a Class C felony for any parent, guardian or other person responsible for the minor to consent to those acts being performed on a minor, or to cause or allow the minor to be transported out of state to have those acts performed on the minor.

An exception to this criminal prohibition is allowed for surgical operations performed by a medical practitioner which are necessary for the health of the minor or performed in connection with labor or child birth. Finally, the bill also clarifies that a person’s consent to the act or the belief that the act is required because of custom, ritual or consent is not a defense to prosecution for this offense.

Effective: October 1, 2019 and applies to offenses committed on or after that date.

[SENATE BILL 11](#), [ABC Regulation and Reform](#), makes numerous changes to the Alcoholic Beverage Control (ABC) Commission’s permitting process on issues such as qualifications for an ABC permit and the amount of fines the ABC Commission can assess for violations, such as violations involving acts of violence or controlled substances. The provisions of interest to the criminal justice community include:

1. G.S. 18B-104(3) is amended, effective October 1, 2019, to place time limits on when administrative penalties for permittee violations will accrue. Amended G.S. 18B-104(3) clarifies that the ABC Commission may issue an administrative penalty for violations by a permittee in an amount up to \$500 for a first violation, up to \$750 for a second violation within three years, and up to \$1,000 for a third violation within three years.
2. G.S. 18B-104 is amended, effective October 1, 2019, by adding a new subparagraph (3a) to allow for administrative fines for violations that specifically involve acts of violence, controlled substances violations or prostitution occurring on the premises of a permittee.

For these violations, fines in an amount up to \$750 for a first violation, up to \$1,000 for a second violation within three years, and up to \$1,250 for a third violation within three years may be assessed by the ABC Commission. In addition to these fines, the ABC Commission is authorized to impose conditions on the operating hours of the business for these types of violations.

3. G.S. 18B-104 is further amended, effective October 1, 2019, by adding a new subparagraph (b1) to allow the ABC Commission to accept an offer to compromise by payment of a cash penalty instead of revoking a permit where a permittee has two or more violations within three years that involve acts of violence, controlled substances

violations or prostitution occurring on the premises of the permittee. The ABC Commission is authorized to compromise and accept a penalty of not more than \$10,000 instead of seeking revocation of the ABC permit. The bill clarifies that the ABC Commission can compromise or revoke the permit for these violations but may not do both. However, the ABC Commission may compromise and suspend a permit for a specified period of time for these violations.

Currently, in any case where the ABC Commission is entitled to suspend or revoke a permit, the Commission may accept from the permittee an offer to compromise by payment of a penalty of not more than \$5,000. The Commission may accept the compromise or revoke the permit but not both. The bill does not change this current provision of law.

4. G.S. 18B-900 is amended, effective June 26, 2019, to require all applicants for an ABC permit to be at least 21 years old. Currently, an ABC permit may be issued to a person at least 19 years old if the person is a manager of a business that is seeking to qualify for issuance of an ABC permit.
5. G.S. 18B-1000 is amended, effective June 26, 2019, to add a definition for “private bar” to the list of those establishments which may be issued various ABC permits. A private bar is now defined as a for-profit entity, not open to the public but only open to its members and guests for recreation and socialization purposes.

The bills amends G.S. 18B-1001 to make private bars eligible to apply for the following ABC permits: (1) on-premises malt beverage permit; (2) on-premises unfortified wine permit; (3) on-premises fortified wine permit; (4) brown-bagging permit; (5) special occasion permit; and (6) mixed beverages permit.

6. G.S. 18B-1000(5) is amended, effective June 26, 2019, to change the definition of a “private club” to mean an establishment that is a 501(c) business and that has been in operation for at least 12 months before applying for an ABC permit. Previously, a private club was defined as an “establishment that was organized and operated solely for a social, recreational, patriotic, or fraternal purpose and that was not open to the general public, but was open only to the members of the organization and their bona fide guests.”

[SENATE BILL 12](#), [Alexander County/Sheriff Vacancies](#), amends G.S. 162-5.1 to remove Alexander County and Burke County from those counties listed in 162-5.1. G.S. 162-5.1 requires that upon a vacancy in the Office of Sheriff, such as due to retirement, the board of county commissioners must first consult with the county executive committee of the political party of the outgoing sheriff and must elect the person selected by the executive committee to fill the vacancy. Therefore, a vacancy in the Office of Sheriff in Alexander County and Burke County may now be filled by the board of county commissioners without the input of the county executive committee of the political party of the outgoing sheriff.

Effective: March 19, 2019

[SENATE BILL 29](#), [Move Over Law/Increase Penalties](#), amends G.S. 20-157(i) to increase the penalty from a Class I felony to a Class F felony for a driver to fail to move over in response to a parked or standing public service vehicle, such as a patrol car, when the vehicle is operating its emergency lights if the failure to move over causes the serious injury or death of a law enforcement officer, firefighter, emergency vehicle operator, incident management assistance patrol member, public service vehicle operator, or any other emergency response person in the immediate area of the authorized emergency vehicle or public service vehicle.

The bill also amends G.S. 20-130.2 to clarify that it is unlawful for any vehicle to operate a flashing or strobing amber light while in motion on a street or highway. This prohibition will not apply during a state of emergency declared by the Governor and will also not apply to the following vehicles operating pursuant to official duties: (1) law enforcement vehicles; (2) fire, rescue, first responder and emergency response vehicles; (3) vehicles transporting wide loads, such as the transport of a mobile home; and (4) certain vehicles that must travel at a slower rate of speed to perform an intended service, such as garbage collection vehicles, utility service vehicles, work zone vehicles, mail delivery vehicles, school buses, and farm equipment.

Currently, wreckers that are at the scene of an accident or that are transporting vehicles are authorized to use amber-colored flashing lights while providing service. The bill does not change this authorization for wreckers performing service.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[SENATE BILL 118](#), [Prison Safety/TANF State Plan/Clarifications](#), appropriates \$4.4 million in nonrecurring funds to the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice, for the 2019-2020 fiscal year to improve safety in State prison facilities as follows:

1. \$400,000 in funds to purchase stab resistant vests and exterior carriers for prison facility staff.
2. \$731,000 in funds to erect security netting over prison fence lines to deter contraband from being introduced into prison facilities.
3. \$216,000 in funds to purchase additional handheld metal detectors to reduce contraband in prison facilities.
4. \$675,000 in funds to purchase key lock boxes for prison facilities.
5. \$2.4 million in funds to be used for information technology and security equipment upgrades for prison facilities.

The bill also requires the North Carolina Department of Public Safety to report the following information on prison reform initiatives to the Joint Legislative Oversight Committee on Justice

and Public Safety, beginning on November 1, 2019 and continuing quarterly through the 2019-2021 fiscal biennium:

1. The modification of rules, policies or procedures that are related to disciplinary action against correctional officers or correctional staff.
2. The modification of rules, policies or procedures that are related to disciplinary action against inmates.
3. The frequency and content of staff training.
4. Modifications to inmate work assignments.
5. The types of facility infrastructure improvements.
6. The availability of staff safety equipment and institutional safety equipment.
7. The adequacy of staffing and efforts made to increase the retention of staff.
8. Any changes to the hiring or orientation process for correctional officers.
9. The methods used to prevent contraband at prison facilities.
10. Any modifications to housing capacity in order to meet prison staffing requirements.

Effective: July 1, 2019

[SENATE BILL 148](#), Public Records/Release of LEO Recordings, amends G.S. 132-1.4A(h) to allow law enforcement recordings such as body-worn camera or dashboard camera recordings to be released to the public without a court order for purposes of suspect identification or apprehension, or for the purpose of locating a missing or abducted person.

Currently, a law enforcement agency could not release these recordings to the public without a court order but could release the recordings to another law enforcement agency for law enforcement purposes or for training purposes.

Effective: June 26, 2019

[SENATE BILL 151](#), Break or Enter Pharmacy/Increase Penalty, enacts new G.S. 14-54.2, “breaking or entering a pharmacy,” which makes it a Class E felony for a person to break into or enter a pharmacy with the intent to steal any type of controlled substance, such as opioids.

It is a Class F felony under this new criminal statute if a person receives or possesses any controlled substance that was stolen through a “breaking or entering a pharmacy” offense if the person receiving or possessing the controlled substance knew or had reason to believe the controlled substance was obtained unlawfully through breaking or entering a pharmacy.

Currently, it is a Class H felony for any person to break into or enter any building with the intent to commit any felony or larceny therein.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[SENATE BILL 191](#), [Out-of-State Law Enforcement/2020 Rep Convtn](#), enacts G.S. 160A-288.3 to allow the head of a municipal police department within a municipality that has a population exceeding 500,000 people to enter into an “intergovernmental law enforcement agreement” with out-of-state law enforcement agencies or officers for assistance in maintaining security and safety at “the National Convention.” The bill does not define what is meant by the National Convention, but this presumably refers to the Republican National Convention taking place in Charlotte, North Carolina on August 24-27, 2020.

An intergovernmental law enforcement agreement will allow out-of-state agencies or officers to provide a North Carolina municipal police department in a municipality that has a population exceeding 500,000 with temporary assistance at the National Convention by furnishing supplies, equipment, and personnel as might be needed by the requesting North Carolina law enforcement agency.

The intergovernmental law enforcement agreement must specify standards of conduct for the out-of-state officers, including use of force standards, training requirements, standards for reimbursement of costs for personnel and protocols for processing any claims that may be made against the out-of-state officer resulting from rendering assistance.

An out-of-state law enforcement officer is defined as a full-time officer of a governmental agency in another state, in good standing, with powers of arrest and whose primary function is the prevention and detection of crime or the enforcement of criminal laws. Out-of-state officers are deemed to have satisfied the certification standards of the North Carolina Sheriffs’ Education and Training Standards Commission and the North Carolina Criminal Justice Education and Training Standards Commission while rendering temporary assistance under the intergovernmental law enforcement agreement.

The out-of-state law enforcement officer providing assistance will possess the same authority, jurisdiction, powers, privileges and immunities as the officers of the requesting North Carolina law enforcement agency and is under the operational command of the requesting agency while rendering assistance.

Finally, any intergovernmental law enforcement agreement must remain in compliance with any rules, policies or guidelines that have been adopted by the local governing body of the agency making the request, such as a local city council.

Effective: January 1, 2020 and expires on October 1, 2020.

[SENATE BILL 199](#), [Child Sex Abuse/Strengthen Laws](#), makes numerous changes to our State criminal laws to protect children from abuse and to strengthen the State's sexual assault laws. The provisions of interest to the criminal justice community include:

1. The bill enacts G.S. 14-318.6 to create the new criminal offense of "failure to report crimes against juveniles." It is now a Class 1 misdemeanor for any person over the age of 18 who knows or should have known that a juvenile has been the victim of a violent offense, sexual offense, or misdemeanor child abuse, to fail to immediately report the matter to a local law enforcement agency in the county where the juvenile resides or is found.

The report must include the following information, if known to the person making the report: (1) the name, address, age and current whereabouts of the juvenile; (2) the name and address of the juvenile's parent, guardian, custodian or caretaker; (3) the name, address and age of the person that committed the offense against the juvenile and the location where the offense was committed; (4) the names and ages of any other juveniles present or in danger; and (5) the nature and extent of any injury the juvenile suffered because of the offense or abuse.

As a result of this report, if law enforcement finds the juvenile may be abused, neglected, or delinquent, they are required to make an oral report to the director of the local department of social services within forty-eight hours after the discovery of such evidence.

2. G.S. 1-17 is amended to increase the statute of limitations for the filing of a civil lawsuit by a victim of child sex abuse to allow the victim until the age of 28 to file the lawsuit. Currently, the lawsuit must be filed within three years of the victim turning the age of 18. However, a victim of a criminal felony sexual offense which occurred while the victim was under the age of 18 may file a civil action up to two years from the date of that criminal conviction, even if they are over the age of 28 at the time of that conviction.
3. G.S. 15-1 is amended to increase the statute of limitations for certain misdemeanor offenses. Currently, all misdemeanor offenses must be charged within two years of the commission of the crime. Amended G.S. 15-1 expands this to within 10 years of the commission of the crime for the following misdemeanor offenses: (1) failure to report crimes against juveniles to law enforcement; (2) sexual battery; (3) indecent liberties between children; (4) child abuse; and (5) failure to report abuse, neglect, dependency, or the maltreatment of a child leading to death.
4. G.S. 14-202.5 is amended to make it unlawful for a "high-risk" sex offender to go onto the internet to communicate with or contact a person the offender believes is under the age of 16, to falsely pose as someone under that age with the intent to commit an unlawful sexual act with a person the offender believes is under the age of 16, or to gather

information about a person the offender believes is under the age of 16. A high-risk sex offender is defined as a person required to register as a sex offender in the State of North Carolina and that meets any of the following conditions: (1) was convicted of a sexually violent offense against a person under the age of 18; (2) was convicted of any offense against a minor; (3) was convicted of an aggravated offense; or (4) is classified as a sexually violent predator or recidivist and the victim is under the age of 18.

Amended G.S. 14-202.5 also makes it unlawful for a high-risk sex offender to use any “commercial social networking Web site” if that Web site has a policy that prohibits convicted sex offenders from using the Web site. However, even if the commercial social networking Web site has no such policy, it will still be a violation of the law for the high-risk sex offender to go onto that Web site and engage in one of the prohibited activities described above, such as trying to gather information about a person the offender believes is under the age of 16.

A commercial social networking Web site is defined to include any Web site, application, portal, or other means of accessing the internet that has a membership fee or advertising, allows personal Web pages, and provides communication between visitors. Specifically excluded from this definition are Web sites which are designed primarily for commercial transactions, disseminating news, discussion of political or social issues, professional networking, or those Web sites operated by a government agency.

The bill makes violating any of these online restrictions by a high-risk sex offender a Class H felony.

5. G.S. 14-208.16(b) is amended to clarify that, as applied to North Carolina sex offender residency restrictions related to schools, a school will include any construction project designated as a public school by a local governing body if that governing body has notified the sheriff or sheriffs with jurisdiction within 1000 feet of the construction of the public school. The bill does not, however, extend this restriction to the construction of private schools. Currently, it is unlawful for a registered sex offender to reside within 1000 feet of a school, regardless of whether or not the school is a public school or a private school.
6. Enacts G.S. 115C-375.20 to require each local board of education in North Carolina to adopt and implement a child sexual abuse and sex trafficking training program for school personnel who work directly with students in grades kindergarten through 12. Training programs may be provided by local nongovernmental organizations, local law enforcement officers, or officers of the court (such as, for example, judges or assistant district attorneys).

Newly enacted G.S. 115C-375.20 requires school personnel to take two hours of this training in even-numbered years, beginning in 2020. Training topics could include awareness training related to the grooming process of sexual predators, the warning signs

of sexual abuse and sex trafficking, intervention when sexual abuse or sexual trafficking is suspected or disclosed, available resources for those in need of assistance and the legal responsibilities associated with reporting sexual abuse or sex trafficking.

7. G.S. 14-27.20 is amended to clarify that a person can withdraw consent to vaginal intercourse or other sexual act, even after initially consenting. Amended G.S. 14-27.20(1a) contains a new definition for “against the will of the other person” that is applicable to our State’s rape and other sex offenses. Against the will of the other person is defined as either occurring without the consent of the person or occurring after consent is revoked by the other person in such a way that a reasonable person would believe that consent to the sexual act has been revoked.
8. G.S. 14-208.12A is amended to provide the victim of a sex crime that resulted in the defendant being placed on North Carolina’s Sex Offender and Public Protection Registration Program (Sex Offender Registry) the right to appear and be heard at any proceeding initiated by the sex offender to be removed from the Sex Offender Registry. Currently, a victim does not have the right to appear and be heard when a registered sex offender petitions a court to be removed from the Sex Offender Registry.
9. Finally, G.S. 14-401.11 is amended to clarify it is unlawful to knowingly distribute, sell, give away or otherwise cause to be placed in a position of human accessibility or ingestion any beverage or other drinkable substance which contains certain noxious or deleterious substances, controlled substances, poisonous chemicals or compounds, or foreign substances. Currently, the law only makes knowingly allowing accessibility of tainted food or other eatable items listed unlawful.

Effective: December 1, 2019 and applies to criminal offenses or civil actions initiated on or after that date.

[SENATE BILL 220](#), [Removal of Political Signs by Citizens](#), amends G.S. 136-32 to allow citizens to remove and dispose of political signs that remain in a public right-of-way after 30 days from the date political signs are to be removed because the political signs are deemed abandoned property at that point. Currently, political signs are to be removed within 10 days of the primary or general election.

The bill also amends G.S. 163A-1046 to require a county board of elections to ensure that candidates are allowed at least 36 hours before the opening of a voting place and at least 36 hours after it closes to place and retrieve political advertising. After this period of time, the property owner is authorized to remove the political advertising without penalty.

Effective: December 1, 2019

[SENATE BILL 290](#), [ABC Regulatory Reform Bill](#), makes a number of changes to the State’s Alcoholic Beverage Control (ABC) laws. The provisions of interest to the criminal justice community include:

1. G.S. 18B-1001 and G.S. 18B-1105(a) are amended to allow the holder of a distillery permit to sell malt beverages, unfortified wine, fortified wine and mixed beverages for consumption on the premises of the distillery after obtaining the appropriate permit. However, a distillery choosing to sell mixed beverages for consumption on premises containing spirituous liquor produced at the distillery is not required to obtain a mixed beverages permit from the Alcoholic Beverage Control Commission (ABC Commission).
2. G.S. 18B-800 is amended to allow under limited circumstances the shipment of bottles or cases of spirituous liquor directly from a distillery to a local ABC board instead of shipment directly from the distillery to the State ABC warehouse. If a local ABC board does not have the inventory to fulfill a spirituous liquor order from a mixed beverages permit holder, such as a restaurant or hotel, the local ABC board must notify the ABC Commission of the inability to fulfill the order within 48 hours of placement of the order. The ABC Commission must then authorize shipment directly from the distillery to the local ABC board if the distillery agrees to make a direct shipment.
3. G.S. 18B-1105(a)(4) is amended to allow a permitted distillery to sell spirituous liquor distilled at the distillery in closed containers to visitors for consumption off the premises without limit. Currently, distilleries can only sell to those visitors who tour the distillery and are limited to five bottles per 12-month period per consumer.
4. G.S. 18B-901(a) is amended to allow an owner of a distillery, or an employee designated by the owner, to issue a purchase-transportation permit for spirituous liquor that would allow a person to transport more than eight liters of spirituous liquor. Currently, only local ABC boards have the authority to issue purchase-transportation permits for spirituous liquor.
5. G.S. 18B-1114.7 is amended to allow certain ABC permit holders, such as a distillery, to obtain a spirituous liquor special event permit allowing free tastings at ABC stores where the local ABC board has approved the tastings. Currently, certain ABC permit holders are allowed to conduct spirituous liquor tastings at events such as trade shows, conventions, street festivals, holiday festivals, agricultural festivals and balloon races.
6. G.S. 18B-1114.5 is amended to allow certain ABC permit holders, such as a permitted brewery or malt beverage importer, to obtain a special event permit to conduct malt beverage tastings at farmers markets. Currently, certain qualified ABC permit holders can obtain a special event permit to conduct malt beverage tastings at events such as trade shows, conventions, street festivals, balloon races and local fund-raisers.
7. G.S. 18B-101(12a) is amended to clarify the definition of “premises” under the State’s ABC Laws. Premises is now defined as a fixed permanent establishment, including all areas inside or outside the licensed establishment, where the permittee has control through a lease, deed, or other legal process.

Currently, “premises” is defined as all areas, whether inside or outside the “licensed premises,” where the permittee has control of the property through a lease, deed or other legal process. Therefore, the amendment avoids ambiguity as to what constitutes the premises of a permittee and instead includes all indoor and outdoor areas of an entire “establishment” that is under the control of the permittee.

8. Enacts G.S. 18B-1010 to authorize the holder of a on-premises malt beverage permit, on-premises fortified wine permit, on-premises unfortified wine permit or a mixed beverages permit to sell and deliver two alcoholic drinks to a single patron at one time if the drink is a malt beverage, unfortified wine or a fortified wine. The sale and delivery to a single patron is limited to one alcoholic drink at one time if the drink is a mixed beverage or contains spirituous liquor.

However, enacted G.S. 18B-1010 prohibits the sale and delivery of more than one alcoholic drink to a single patron at one time, regardless of the type of alcoholic drink, at a stadium, athletic facility or arena on the campus or property of a public college or university, or during a sports event sponsored by a public college or university.

Currently, an ABC permittee may only sell and deliver one alcoholic drink to a single patron at one time.

The bill repeals G.S. 18B-308 to allow for the sale and consumption of alcohol at bingo games. The bill further repeals G.S. 14-309.14(3) to clarify that alcohol may now be sold and consumed at beach bingo games. Currently, alcoholic beverages cannot be sold or consumed in any room where a bingo game is being conducted.

9. G.S. 18B-1000 and G.S. 18B-1001 are amended to allow the ABC Commission to issue a “common area entertainment permit” for the consumption of alcohol within the confines of an indoor or outdoor common area of a “multi-tenant establishment.” A multi-tenant establishment includes, for example, a building or structure, or multiple buildings and structures on the same property or same planned development that is controlled by a property owners’ association and that contains businesses on the property that sell food, goods or services.

The bill allows a property owner of a multi-tenant establishment or a property owners’ association of a multi-tenant establishment to obtain a common area entertainment permit from the ABC Commission that will allow customers, including residents, to purchase alcoholic beverages from ABC permitted businesses located on the property and to consume those alcoholic beverages in appropriately designated indoor or outdoor common areas. The bill contains numerous regulations permittees must adhere to in allowing for alcohol consumption in common areas and also contains limitations on the number of alcoholic beverages a customer can possess and consume at one time.

10. Enacts G.S. 18B-1001.4, effective December 1, 2019, to authorize the ABC Commission to issue a “delivery service permit” that will allow the permit holder’s employee or independent contractor to deliver to an individual purchaser malt beverages, unfortified wine, or fortified wine on behalf of a retailer. Any person making deliveries pursuant to a delivery service permit must first complete a training course in the delivery of alcoholic beverages that has been approved by the ABC Commission.

The bill limits the alcoholic beverages that can be delivered to only those alcoholic beverages from a licensed retailer’s existing inventory that are located on the retailer’s premises. In addition, the purchase of the alcoholic beverages must be for the personal consumption of the purchaser.

The bill contains numerous requirements associated with deliveries made pursuant to these permits. Among those, deliveries may only be made during lawful sales times for the jurisdiction in question and may not be made to jurisdictions that have not authorized the sale of the purchased alcoholic beverages.

In addition, alcoholic beverages may only be delivered to a person at least 21 years of age and that person must immediately take possession of the alcoholic beverages. Therefore, any person delivering alcoholic beverages on behalf of a retailer may not just leave the package in a conspicuous area for the purchaser.

Finally, the bill contains various monetary penalties for a delivery service permittee that violates any provisions set out in newly enacted G.S. 18B-1001.4.

11. G.S. 18B-1001 is amended to allow sports and entertainment venues to obtain an on-premises fortified wine permit and a special occasion permit. Currently, hotels, restaurants, private clubs, convention centers, wineries and community theaters are authorized to obtain on-premises fortified wine permits and special occasion permits.
12. G.S. 18B-303 is amended to exempt mixed beverage permit holders, such as restaurants and hotels, from the requirement of obtaining a purchase-transportation permit for the transportation of fortified wine or spirituous liquor. The bill allows any amount of fortified wine or spirituous liquor to be purchased and transported by mixed beverage permittees or by an employee of a mixed beverage permittee without a purchase-transportation permit.

Effective: September 1, 2019, unless noted otherwise above.

[SENATE BILL 321](#), Federal Motor Carrier Safety/PRISM, enacts G.S. 20-43.3 to allow the North Carolina Division of Motor Vehicles (DMV) to collect and maintain commercial motor vehicle data in a format that complies with the Performance and Registration Information Systems Management program (“PRISM”) of the Federal Motor Carrier Safety Administration.

The PRISM program is designed to reduce the number of commercial motor vehicle crashes, injuries and fatalities in the interstate motor carrier population. PRISM provides states a safety

mechanism to identify and prohibit motor carriers with serious safety deficiencies from operating commercial motor vehicles on the roadways, and to hold them accountable through registration and law enforcement sanctions.

In furtherance of this objective, the bill amends G.S. 20-43.3 and G.S. 20-110 to require DMV to deny or rescind and cancel the registration of a vehicle of a motor carrier if the applicant meets certain criteria, such as making a false statement on an application or not disclosing material information on an application for registration, or if the applicant's business is operated, managed, or otherwise controlled by a person who is ineligible for registration.

Finally, the bill amends G.S. 20-381(a) to authorize the North Carolina Department of Public Safety to enforce any order issued by the Federal Motor Carrier Safety Administration and to prohibit the operation of any intrastate motor carrier if the carrier is subject to an out-of-service order that has been issued by either the Federal Motor Carrier Safety Administration or DPS. Currently, DPS has the authority to prohibit the operation of an intrastate motor carrier when DPS has determined the motor carrier poses an “imminent hazard” or when the Federal Motor Carrier Safety Administration has issued an order finding that the motor carrier poses an imminent hazard.

Effective: November 12, 2019

[SENATE BILL 381](#), Reconstitute/Clarify Boards and Commissions, amends G.S. 74C-4(b) to modify the number of appointments to the Private Protective Services Board (Board) by certain State officials. The number of appointments to the Board by the Governor is increased from three to seven appointments. In addition, the number of appointments by the General Assembly is reduced from five to three appointments to the Board upon the recommendation of the President Pro Tempore of the Senate and from five to three appointments upon the recommendation of the Speaker of the House of Representatives.

Previously, the Governor was authorized to appoint three members to the Board and the General Assembly was authorized to appoint five members to the Board upon the recommendation of the President Pro Tempore of the Senate and five members upon the recommendation of the Speaker of the House of Representatives.

Effective: July 1, 2019

[SENATE BILL 413](#), Raise the Age Modifications, makes various changes to our General Statutes to facilitate the implementation of the Juvenile Justice Reinvestment Act, more commonly known as the “Raise the Age” legislation, that takes effect December 1, 2019.

The bill amends G.S. 7B-1501(7) and G.S. 143B-805(6) to clarify that all motor vehicle offenses under Chapter 20 of our General Statutes must be excluded from juvenile court jurisdiction once key provisions of the Juvenile Justice Reinvestment Act come into effect December 1, 2019. Therefore, all motor vehicle offenses for juveniles between the ages 16-18 will continue to be handled in adult court as is the current law.

The bill amends G.S. 7B-1604(b) to clarify that a juvenile will be prosecuted as an adult for any criminal offense the juvenile commits after a prior district court or superior court criminal conviction if either of the two conditions exist:

1. The juvenile has previously been transferred from juvenile court to superior court and was convicted in a superior court; or
2. The juvenile has previously been convicted in either district court or superior court for a felony, misdemeanor, or driving while impaired offense. However, misdemeanor motor vehicle violations and infractions are not considered a “conviction” for this purpose.

The bill amends G.S. 7B-1702 to clarify that a juvenile court counselor must conduct a gang assessment on juveniles the age of 12 or older when evaluating juveniles to determine whether a delinquency petition should be filed. The Appropriations Act of 2017, Session Law 2017-57, which originally contained this requirement, did not specify the age at which juvenile court counselors are required to conduct gang assessments.

In addition, the bill amends G.S. 7B-2508(g1) to clarify the burden of proof in juvenile cases associated with criminal gang activity and heightened penalties for criminal gang activity. Amended G.S. 7B-2508(g1) requires the court to find “beyond a reasonable doubt” that the juvenile’s unlawful conduct was committed as a part of criminal gang activity before a heightened sentence can be imposed. The Appropriations Act of 2017, Session Law 2017-57, amended G.S. 7B-2508 effective December 1, 2019 to require a court to enter a sentence that is one class higher than the class of the offense the juvenile is charged with committing if a juvenile is adjudicated delinquent and the court finds that the juvenile was involved in gang activity.

The bill also amends various statutes to clarify where juvenile offenders must be detained and who is responsible for transporting detained juveniles. The bill amends G.S. 7B-1905(b) and G.S. 7B-2204 to provide that a detained juvenile under the age of 18 that is in juvenile court or whose case is transferred to criminal superior court from juvenile court must be detained in a Division of Adult Correction and Juvenile Justice (DACJJ) facility or in a facility that has been approved by DACJJ to house juvenile offenders.

However, juveniles 16 years of age but not yet 18 who are ordered detained for a Chapter 20 motor vehicle law violation (such as driving while impaired) must be detained in the county jail. Note: The North Carolina Sheriffs’ Association is working on having this changed so that these offenders will be confined in a DACJJ facility. Currently, all Chapter 20 motor vehicle law violations committed by juveniles under the age of 16 are handled in juvenile court and any juvenile under the age of 16 that is ordered detained for a Chapter 20 motor vehicle law violation must be held in a DACJJ facility or in a facility that has been approved by DACJJ to house juvenile offenders. This provision of law has not changed.

The law as enacted by this legislation will also require juveniles who are ordered detained for a criminal offense occurring after a previous criminal conviction in adult court to be detained in the county jail. Juveniles meeting this criteria are commonly known as the “once and adult, always

an adult” offenders. Note: The North Carolina Sheriffs’ Association is also working on having this changed so that these offenders will be confined in a DACJJ facility.

In addition, the bill amends G.S. 7B-1903(e) and G.S. 7B-1905(d) to clarify that if a secure custody order is entered for an offender within the juvenile justice system who is 18 years old or older, that person may be temporarily detained in a county jail where the charges arose and not in a DACJJ approved facility.

Regarding the transportation of detained juveniles within juvenile court jurisdiction, the bill amends G.S. 7B-2204(a) and G.S. 7B-2204(b) to provide that the transportation of juvenile offenders to and from court will be provided by personnel from or approved by the Juvenile Justice Section of the DACJJ.

Amended G.S. 7B-2204(c) provides that if a juvenile reaches the age 18 while waiting for their superior court case to conclude, the person will be transported by the DACJJ to the custody of the sheriff in the county where the charges arose.

The bill amends G.S. 7B-2200.5 to require a superior court judge to remand a case that has been transferred to superior court back to district court for adjudication within the juvenile court if the prosecutor and attorney representing the juvenile offender jointly file a petition to have the matter remanded back to juvenile court. In addition, the bill enacts G.S. 15A-145.8 to also require the judge to order an expunction of all criminal charges that were remanded from superior court back to juvenile court.

Newly enacted G.S. 15A-145.8 also requires the court to order an expunction of all DNA records associated with a case remanded back to juvenile court. If the juvenile’s DNA sample was taken and stored in the State DNA Databank, the North Carolina State Crime Laboratory is required to purge the juvenile’s DNA record and DNA sample and any other identifying information that is associated with the remanded case in the State DNA Database. This will not, however, apply to any DNA records that are associated with other offenses committed by the juvenile that qualify for inclusion in the State DNA Databank and DNA Database.

Finally, the bill moves the offense of “receiving or transferring stolen vehicles” from Chapter 20 of our General Statutes and recodifies the offense, as previously written, in G.S. 14-71.2. This change ensures that a juvenile with no prior adult conviction that commits this offense will benefit from juvenile court jurisdiction and not be treated as an adult because the offense occurred under Chapter 20.

Effective: December 1, 2019 and applies to offenses committed on or after that date.

[SENATE BILL 493](#), DVPO Time of Expiration, amends G.S. 50B-3 to clarify that domestic violence protective orders issued under Chapter 50B of our General Statutes expire at 11:59 P.M. on the date indicated on the DVPO.

The bill also amends G.S. 50B-3 to require a defendant that has been ordered by a court to attend abuser treatment to begin regular attendance of that treatment within 60 days of the order being

entered. In addition, at the time the order is entered, the court must schedule a date and time for a review hearing to be conducted to determine whether the defendant is compliant with the order to attend abuser treatment.

Effective: December 1, 2019 and applies to domestic violence protective orders that are in effect on or after that date.

[SENATE BILL 579](#), Prison Reform Act of 2019, requires the Program Evaluation Division (PED) of the General Assembly to study alternate organizational and management structures for the North Carolina Division of Adult Correction and Juvenile Justice (DACJJ), such as by re-establishing DACJJ as two separate State Departments: the Department of Correction and the Department of Juvenile Justice and Delinquency Prevention. The PED is required to submit its findings to the Joint Legislative Program Evaluation Oversight Committee and to the Joint Legislative Oversight Committee on Justice and Public Safety no later than November 1, 2020.

Effective: November 1, 2019

[SENATE BILL 584](#), Criminal Law Reform, amends Session Law 2018-69 to require all State agencies, boards, and commissions that have the power to define conduct as a crime in the North Carolina Administrative Code to create a list of all crimes defined by the agency, board, or commission that are currently in effect or pending implementation and to submit this list to the Joint Legislative Administrative Procedure Oversight Committee no later than November 1, 2019.

The bill further amends Session Law 2018-69 to require every metropolitan sewerage district, county with a population of 20,000 or more, or city or town with a population of 1,000 or more, according to the last federal decennial census, to create a list of all ordinances within the local authority that are punishable as a Class 3 misdemeanor. This list must be submitted to the Joint Legislative Administrative Procedure Oversight Committee no later than November 1, 2019. For any local authority described above that fails to submit this list by the deadline, any local ordinance adopted by the local authority on or after January 1, 2020, and before January 1, 2022 may not be subject to penalty as a Class 3 misdemeanor.

Finally, the bill enacts G.S. 14-4.1 to allow for legislative review of any newly adopted or amended regulatory crime within the North Carolina Administrative Code regardless of whether or not 10 or more persons submit written objections requesting legislative review of the administrative rule. Currently, newly adopted or amended administrative rules are subject to legislative review if 10 or more persons submit a written request for legislative review within the time period specified in Chapter 150B of our General Statutes.

Effective: August 14, 2019

[SENATE BILL 682](#), Implement Crime Victim Rights Amendment, enacts into law additional statutory protections for victims of certain crimes under the State's existing Crime Victims' Rights Act (Act). This bill further implements the North Carolina constitutional amendment that was enacted by voters in November, 2018, commonly known as "Marsy's Law," which amended

Article I, Section 37 of the North Carolina Constitution to expand the rights of victims of certain crimes.

The bill enacts G.S. 15A-830.5 to clarify a victim has the following rights:

1. The right, upon request, to “reasonable, accurate and timely notice” of court proceedings of the accused.
2. The right, upon request, to be present at court proceedings of the accused.
3. The right to be “reasonably heard” at any hearing regarding the release, plea, conviction, or sentencing of the accused. Currently, a victim can only be heard during sentencing.
4. The right to receive payment of restitution in a “reasonably timely” manner, when ordered by the court.
5. The right to be given information about the crime or act of delinquency committed against the victim, in addition to the right to be given information about the criminal justice system, the rights of victims and the availability of services for victims of crime.
6. The right, upon request, to be given information about the conviction or final disposition and the sentence of the accused.
7. The right, upon request, to be given notice of the escape, release or proposed parole or pardon of the accused.
8. The right to reasonably confer with the prosecution.
9. The right to present the victim’s views in writing to the Governor or to an agency considering the release of the accused, such as a parole board, prior to releasing the accused.

The bill amends G.S. 15A-830(7) to define a “victim” as a person against whom there is probable cause to believe “an offense against the person or a felony property crime has been committed.” The bill further amends G.S. 15A-830 to define an offense against the person and a felony property crime as the following offenses:

1. Any misdemeanor or felony offense against the person that is listed in Subchapter III of Chapter 14 of our criminal law, including but not limited to misdemeanor and felony assaults, rape and other sex offenses, kidnaping, human trafficking and homicide.
2. Any misdemeanor or felony offense against public morality listed in Subchapter VII of Chapter 14 of our criminal law. This includes but is not limited to offenses such as crime against nature, incest, sexual exploitation of a minor, taking indecent liberties with a child or a student, cyberstalking and violations of our State’s Sex Offender Registry laws.

3. Any violation of our State's laws protecting minors under Article 39 of Chapter 14, such as misdemeanor or felony child abuse.
4. Any violation of our motor vehicle laws under Chapter 20 of our General Statutes if the offense involves impairment (such as driving while impaired) or involves injury or death to a person (such as misdemeanor death by motor vehicle or aggravated felony death by motor vehicle).
5. Any violation related to a valid 50B Domestic Violence Protective Order.
6. Any criminal offense under Article 35 of Chapter 14 of our criminal law involving communicating threats or stalking a victim.
7. Any felony property offense under Subchapter IV of Chapter 14 of our criminal law, including but not limited to felony burglary, felony breaking or entering and felony arson offenses.
8. Any felony property offense under Subchapter V of Chapter 14 of our criminal law, including but not limited to felony offenses involving larceny, robbery, false pretenses and cheats, financial transaction card theft, identity theft and forgery.
9. An offense that triggers the victims' rights as required by the North Carolina Constitution. An example of this is the crime of "assault on executive, legislative, or court officer," which is not listed in the offenses outlined above but that nevertheless is a crime against or involving the "person of the victim."

The bill amends G.S. 15A-831 to require the investigating law enforcement agency to do the following within 72 hours of identifying a victim covered by the Act:

1. Provide the victim with a list of the rights listed in newly enacted G.S. 15A-830.5, as described in subparagraphs 1 through 9 above, and also provide the victim with "information about any other rights afforded to victims by law." The victim must submit the form back to the investigating law enforcement agency within 10 days of receipt of the form if the victim wishes to receive further notifications about the criminal case.

Note: The bill requires the North Carolina Conference of District Attorneys to prepare this form and provide it to law enforcement agencies throughout the State.

2. In the event the victim completes the form requesting further notification, the investigating law enforcement agency must "promptly" share the form with the district attorney's office so that office can comply with notice requirements (such as notification of court proceedings).
3. The North Carolina Administrative Office of the Courts has also developed two new AOC forms for submission of victim information to the district attorney's office: (1) AOC-CR-180A; and (2) AOC-CR-180B. Form AOC-CR-180A must be used for

offenses committed before August 31, 2019 and form AOC-CR-180B must be used for offenses committed after that date.

Note: G.S. 15A-831(c) is amended to no longer allow an investigating law enforcement agency to provide the date of birth, social security number, race and sex of the victim when reporting victim information to a district attorney's office. Therefore, only the victim's name, address, telephone number and any other "contact information" (such as an email address) should be provided to the district attorney's office.

The bill enacts G.S. 15A-834.5 to allow a victim to enforce their rights under the Act. A victim that believes a law enforcement agency is not in compliance with the Act may file a motion with the clerk of superior court to have the matter reviewed by a judge. However, before this can occur, the victim must first provide the law enforcement agency with a written complaint describing the issue so the law enforcement agency has an opportunity to review the information and, if appropriate, resolve the matter.

If the matter is not resolved, the victim must file a motion with the clerk of superior court and must attach a copy of the written complaint that was provided to the law enforcement agency. Enacted G.S. 15A-834.5(e) requires the North Carolina Administrative Office of the Courts to develop the form that will be used by a victim when filing a motion for hearing to assert rights under the Act. The court reviewing the matter is authorized to confer with the head of the law enforcement agency and the victim prior to either disposing of the motion or, if necessary, setting the matter for a court hearing.

Enacted G.S. 15A-834.5(i) specifies the Act does not create any claim for civil or criminal relief for failure to perform a duty required under the Act.

Finally, the bill enacts a new Article 20A within the State's Juvenile Code that provides victims of certain crimes with basic rights that are substantially equivalent to those described above. These changes do not impact sheriffs' offices and other local law enforcement agencies. Under the "Rights of Victims of Delinquent Acts" provisions that are enacted into law by Senate Bill 682, the district attorney's office handling the juvenile case and the North Carolina Division of Adult Correction and Juvenile Justice are required to provide victims with notice of their rights and the status of a delinquent juvenile, such as the juvenile's release from secure custody, throughout the pendency of a juvenile case.

Effective: August 31, 2019 and applies to criminal offenses and acts of delinquency committed on or after that date.

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

North Carolina Sheriffs' Association, Inc.

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