

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Special Legislative Report

September 22, 2017

While the North Carolina General Assembly is not currently in session, several bills previously passed by the General Assembly are on the desk of Governor Roy Cooper for his consideration. One such bill with a provision of interest to law enforcement is summarized below. This bill was vetoed by Governor Cooper on September 21, 2017.

The General Assembly is currently scheduled to reconvene an Extra Session on October 4, and it is likely that they will consider House Bill 56, which has been vetoed by Governor Cooper.

There is substantial speculation about what will be considered during the October 4 Extra Session. There is some speculation that it will be a relatively short Extra Session and other than gubernatorial vetoes, not much else will be dealt with. At the other extreme, there are some folks that speculate that this Extra Session will last several weeks and will involve a wide-ranging list of topics. Only legislative leaders know for sure what topics will be considered, and they may not have even made their own final decisions yet.

If any legislation related to criminal justice matters occurs during the October 4 Extra Session, we will publish another Special Legislative Report to keep you updated.

BILL STATUS

[HOUSE BILL 56](#), Amend Environmental Laws, would make numerous changes to North Carolina's environmental laws. One provision in this bill requires the Environmental Management Commission and the Department of Environmental Quality to implement rules to protect existing riparian buffers (buffers) along various waterways throughout the State.

Of interest to the criminal justice community, the bill provides that when the head of the local law enforcement agency with jurisdiction over a publicly owned space has determined that the buffers pose a risk to public safety, then the buffers could be exempt from these rules.

For example, if the sheriff or police chief who has jurisdiction over a public area determines that hedges that border a certain river would pose a danger to public safety by shielding criminal acts unless the hedges were trimmed, then these hedges could be exempt from these rules.

This bill was passed by the General Assembly on August 31, 2017 and was presented to Governor Cooper on that same date. The bill was vetoed by Governor Cooper on September 21, 2017.

The **Special 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.

Proudly Serving the Sheriffs and Citizens of North Carolina Since 1922

www.ncsheriffs.org
