

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Special Legislative Report

March 11, 2022

One of most anticipated events of the legislative session took place mid-day on Thursday, which was the final vote on the adjournment resolution for the 2021 Long Session. The Senate passed the resolution on Wednesday.

The Resolution will draw the 2021 Long Session to a close today, Friday, March 11, 2022. Speaker Tim Moore noted in his remarks to his House colleagues that this has been the longest, Long Session in the history of the State having begun in January 2021.

The Resolution does provide for two, three-day sessions to be held April 4-6, and May 4-6, 2022. Speaker Tim Moore and President Pro Tempore Phil Berger both stated they do not expect votes on any substantive bills during either of those sessions.

The House and the Senate adjourned on Friday, March 11 and will reconvene for business on Wednesday, May 18, the day after the Primary Elections.

BILL STATUS

[HOUSE BILL 243](#), [Budget Technical Corrections](#), has been retitled and amended to make various changes to the [2021 Appropriations Act](#) and other legislation. The bill has been approved by the General Assembly and sent to Governor Roy Cooper for his signature. Of interest to the criminal justice community, the bill would:

1. Shift the additional magistrate position provided to Perquimans County in Section 16.7 of the 2021 Appropriations Act to Currituck County.
2. For certain Chapter 20 offenses, reallocate the \$3.00 in court costs, previously remitted to the Department of Justice for the benefit of the North Carolina Criminal Justice Education and Training Standards Commission (Commission). This provision is technical in nature and will not reduce the full funding provided to the Commission in the 2021 Appropriations Act. In 2021, the General Assembly fully funded the Commission's operations in the State budget and ended the previous practice of funding the Commission with a portion of court costs in criminal actions.

This provision will distribute the \$3.00 as follows:

- (i) \$1.50 to the county in which the infraction was issued unless the infraction was issued by a municipal law enforcement officer, in which case the

amount would be remitted to the municipality.

- (ii) \$1.50 to the North Carolina Department of Justice for the Sheriffs' Supplemental Pension Fund. This funding will reduce the counties' annual contribution to this fund and will not increase the benefit paid to retired sheriffs.
3. Allow magistrates to perform a first appearance if neither a district court judge nor clerk of superior court is available to conduct a first appearance within the prescribed time periods.
4. Clarify that the monies granted to the North Carolina National Guard in the [2021 Appropriations Act](#) may be used to fund up to 10 full-time positions to support the Cyber Security Task Force.
5. Require the Office of State Budget and Management, for the 2021-2022 fiscal year only, to transfer up to \$1.2 million of funds remaining from bonuses awarded to State employees for work done during the COVID-19 Pandemic to the Department of State Treasurer to pay for line of duty death benefits to public safety employees. This transfer would ensure that sufficient funds exist to pay line of duty death benefits in light of the unfortunate increase in such deaths.
6. Create a special registration plate that may be issued to a clerk of superior court. The registration plate would bear the words "Clerk Superior Court" and the letter "C" followed by a number indicating the county the clerk serves. Special registration plates issued to retired clerks of court would bear a number indicating the clerk's county of service at the time of retirement followed by the letter "X" to indicate the clerk's retired status.

Previously, special registration plates were issued to clerks of superior court under Chapter 20, but that particular provision of law expired in 2016 and was not renewed.

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

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