

# North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

March 17, 2017

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The rules adopted by the House that will govern their operation for the 2017-2018 legislative session are contained in House Resolution 114, 2017 House Permanent Rules. House Rule 31.1 provides that a bill cannot be introduced in the House if it contains "no substantive provisions." This rule is designed to prohibit the introduction of "blank" bills which was allowed some years ago. "Blank" bills contained no substantive provisions and then were amended, often very late in the legislative session, to deal with issues that most members had no previous knowledge about. Because of the problems created by "blank" bills, this rule was enacted to prohibit them.

House Rule 31.1 also provides that each House member may introduce no more than 15 "public" bills. Pursuant to House Rule 35, a "public" bill is a bill affecting 15 or more counties. A "local" bill is one affecting fewer than 15 counties. Each bill can have up to four "primary" sponsors. However, only the first sponsor listed on the bill is counted as having introduced the bill for the 15 "public" bill limit. There is no restriction on the number of "local" bills that a House member can introduce.

The rules governing the operation of the Senate for the 2017-2018 session are contained in Senate Resolution 1, 2017 Senate Permanent Rules. The Senate also defines a "public" bill as a bill affecting 15 or more counties and defines a "local" bill as one affecting fewer than 15 counties. Senate members also may not introduce any "public" bills that have no substantive provisions. However, senators may introduce one "local" bill that contains no substantive provisions.

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

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## BILLS OF INTEREST

HOUSE BILL 324, Pilot Project to Treat Opiate Overdose, would require the Department of Public Safety ("DPS"), in consultation with the City of Wilmington, to create a Quick Response Team ("QRT") that would provide overdose treatment services in Wilmington. The QRT would consist of law enforcement officers, firefighters and medics. The bill would require DPS and the City of Wilmington to work together to determine what services would be provided by the QRT (such as counseling services and follow-up care) for opiate addicts. The QRT would be required to report their results of this project to the 2019 General Assembly. **Introduced by Representative Davis, and assigned to the House Judiciary I Committee.**

HOUSE BILL 325, Amend Arson Law/Prosecutor Funds, would make it a Class D felony to knowingly damage, or assist or pay someone else to cause damage, any structure, dwelling or conveyance (such as an automobile or bus) using fire or an explosive during the commission of a felony.

The current Class E felony of committing arson that results in serious bodily injury to a firefighter or emergency medical technician would be expanded to also include fire investigators and law enforcement officers who are injured while carrying out their duties.

Finally, the bill would provide funding to the Conference of District Attorneys for the establishment of a “resource prosecutor,” who would develop training materials on arson and would act as a resource to prosecutors, law enforcement, firefighters and medical personnel in the prosecution of arson and murder cases. **Introduced by Representatives McNeill and Hurley, and assigned to the House Judiciary II Committee.**

HOUSE BILL 334, Families' Stabilization Act, would require all employers (including State and local governments) to compensate every employee at the same rate of pay, regardless of gender, for the same quantity and quality of work. Different rates of pay could be justified; however, based upon factors such as seniority, length of service, ability, skill or restrictions or prohibitions on lifting or moving heavy objects. **Introduced by Representatives Cunningham, Fisher, Black and Butler, and assigned to the House Committee on State Personnel.**

HOUSE BILL 336, Ltd. License/Drive to School Event Past 9:00, would allow the holder of a limited provisional drivers license (such as a high school student) to drive unsupervised to or from an extracurricular activity or sporting event past 9:00 p.m., if the driver is enrolled in the sponsoring or participating high school or post-secondary school. **Introduced by Representatives Butler, Iler, Reives and Torbett, and assigned to the House Committee on Transportation.**

HOUSE BILL 337, Unmanned Aircraft Systems Law Revisions, would allow an emergency management agency to operate an unmanned aircraft system (UAS) (commonly referred to as a drone) for all functions related to emergency management, such as reconnaissance, search and rescue, damage assessment and hazard risk management.

The bill would also eliminate the current restrictions on imaging technology (such as infrared imaging) on private and commercial UASs. Currently, the use of imaging technology is limited to only scientific and farming operations. By eliminating these restrictions, the imaging technology could be used for other reasons, such as law enforcement activities.

Finally, the bill would adopt the standards for the issuance of commercial drone operator permit established by the Federal Aviation Administration. **Introduced by Representative Torbett, and assigned to the House Committee on Transportation.**

HOUSE BILL 341, Unlicensed Driver/Tow Vehicle, would require a law enforcement officer that charges a motorist for driving without a license, failing to abide by a license restriction, or

driving with an expired license, to contact a towing service to have the vehicle towed and stored at the time of the charge. The vehicle would not have to be towed if the person charged can call and arrange for a licensed driver to pick up the motor vehicle within one hour of being charged. If towed, the owner of the vehicle would not be able to retrieve the vehicle until the owner presents a valid drivers license to the charging law enforcement agency and all money owed for storage of the vehicle is paid in full. **Introduced by Representatives Cleveland, Clampitt, Collins and Millis, and assigned to the House Judiciary I Committee.**

HOUSE BILL 343, Enforcement of DVPO on Appeal, would make a domestic violence protective order (“DVPO”) valid and enforceable while the DVPO is on appeal to the North Carolina Court of Appeals or the Supreme Court of North Carolina, unless one of these appellate courts enter an order stating that the DVPO cannot be enforced while the DVPO is being appealed. **Introduced by Representatives McNeill, R. Turner and Riddell, and assigned to the House Judiciary IV Committee.**

HOUSE BILL 345, Omnibus Firearms Bill, would make numerous changes to North Carolina's firearms laws. Among these changes:

1. Weapons would be able to be possessed, either concealed or not concealed, on: (i) facilities owned or controlled by educational institutions but not used for educational purposes; (ii) a religious institution (church) used as a school, so long as school is not in session; (iii) a road crossing an educational campus; and (iv) a medical facility that is used primarily for patient care rather than education.
2. Weapons would be able to be possessed, either concealed or not concealed, at extra-curricular school activities conducted in a public place such as restaurants, public parks or museums, so long as the property is not posted prohibiting the possession of firearms.
3. Off-duty State probation or parole officers, off-duty State correctional officers, persons authorized by the Secretary of the Department of Public Safety to carry concealed firearms and administrative law judges would be deleted from the list of individuals who are currently allowed to carry a concealed weapon on educational property. These individuals would not be able to carry concealed weapons on educational property if this bill is enacted into law.
4. The Governor and the Governor's immediate family would be able to possess weapons in the Executive Mansion or the Western Residence of the Governor.
5. Applicants for a pistol purchase permit would no longer be required to sign a release to allow the sheriff to gain access to mental health orders of the applicant. Consequently, if this bill is enacted into law, sheriffs would not be able to gain access to mental health orders that are not input into the National Instant Criminal Background Check System (“NICS”) that may disqualify a person from the possession of firearms.
6. Currently, State correctional officers, State probation or parole officers and North Carolina law enforcement officers, who have been retired two years or less, are exempt

from taking the firearms safety and training course for purposes of applying for a concealed handgun permit. This bill would allow State correctional officers, State probation or parole officers and North Carolina law enforcement officers retired for five years or less to be exempt from taking the firearms safety and training course.

7. A North Carolina issued concealed handgun permit would be valid for a period of 10 years, as opposed to their current life span of five years.
8. An individual would only be disqualified from getting a concealed handgun permit based on their military discharge if the individual has received a dishonorable discharge. Currently, anyone discharged from the military "under conditions other than honorable" would be disqualified from getting a concealed handgun permit. Therefore, if this bill is enacted into law, individuals who have been discharged from the military "under other than honorable conditions" or who received a "bad conduct discharge" (given to an individual only after they have been convicted at a court-martial) would be eligible to receive a concealed handgun permit.
9. Legislators and legislative employees with a valid concealed handgun permit would be able to carry a concealed handgun on the premises of the State legislative buildings and grounds.
10. Defendants convicted of crimes involving the use of a firearm would not be able to have the firearm returned to them after their conviction of the crime.
11. The common law offense (a crime developed by the courts as opposed to the General Assembly) of "going armed to the terror of the people" would be written into the General Statutes in North Carolina. This new statute would restate the current common law that makes it a Class 1 misdemeanor for a person to go armed on the public highways with a dangerous weapon (for example a firearm) for the purpose of terrifying others. This bill would also clarify that a person would not be guilty of going armed to the terror of the people based only on the fact that a person is possessing or carrying a handgun.

**Introduced by Representatives Speciale and Pittman, and assigned to the House Judiciary I Committee.**

HOUSE BILL 348, Give Retirees 1.5% COLA/Funds, would provide a cost of living adjustment of 1.5% for retirees of the Teachers' and State Employees' Retirement System, the Judicial Retirement System and the Legislative Retirement System. **Introduced by Representative L. Bell, and assigned to the House Committee on Appropriations.**

HOUSE BILL 350, Charlotte CRB/Issue Subpoena, would give the already established Citizen Review Board ("CRB") in the City of Charlotte the authority to issue subpoenas in any "fact-finding proceedings" to compel the production of evidence or the appearance of a witness before the CRB. The bill would also allow the CRB to apply to the superior court for an order compelling the appearance of a witness or production of evidence when a CRB subpoena is not honored. Currently, the CRB hears certain appeals from Charlotte-Mecklenburg Police

Department disciplinary actions, but the Board does not have the authority to issue subpoenas. This bill would only apply to the CRB in the City of Charlotte. **Introduced by Representative R. Moore, and assigned to the Committee on Rules, Calendar, and Operations of the House.**

HOUSE BILL 362, Changes to the Juvenile Code, would make numerous changes to the juvenile laws. Among these changes, a magistrate would be required to accept petitions for filing that allege a juvenile is neglected, abused or dependent in emergency situations when the office of the clerk of court is closed. The magistrate would be required to deliver the petition to the clerk of court's office as soon as it is open for business, but the petition would be deemed "filed" when the magistrate accepts the petition. Currently, a magistrate can only issue a juvenile petition when authorized to do so by the chief district court judge. **Introduced by Representative Jordan, and assigned to the House Judiciary IV Committee.**

HOUSE BILL 364, Tolling of Misdemeanor Statutes, is identical to Senate Bill 189, Tolling of Misdemeanor Statute of Limitations, which was reported in the March 10, 2017 Weekly Legislative Report. This bill would provide that misdemeanors must be "charged" within two years of the commission of the offense. The statute of limitations would stop running when a person is charged with the misdemeanor by any type of criminal process, such as an order for arrest or an arrest warrant. Currently, State law states that the misdemeanor must be presented for grand jury action within two years of the commission of the crime in order to stop the running of the statute of limitations. **Introduced by Representative R. Turner, and assigned to the House Judiciary II Committee.**

HOUSE BILL 365, Towing MVs With Handicapped Placard/Plate, would prohibit the towing of any vehicle displaying a handicapped placard or plate from a private or leased parking space within a shopping center or mall unless the vehicle has been in the parking space for at least three hours, or the vehicle is impeding the flow of traffic or creating a public safety issue. **Introduced by Representative Insko, and assigned to the House Committee on Regulatory Reform.**

HOUSE BILL 368, Block MV Reg./Unpaid Parking Fines in W-S, would require the Division of Motor Vehicles to deny vehicle registration, registration renewal, issuance of a certificate of title or transfer of title if the vehicle owner has an unpaid parking ticket issued from the City of Winston-Salem. It would not matter if the owner of the vehicle lived outside Winston-Salem or outside of Forsyth County. **Introduced by Representative Terry, and assigned to the House Committee on State and Local Government I.**

HOUSE BILL 369, Community Corrections and Probations, would make numerous changes to the laws regarding probation conditions and probation officers. Among these changes:

1. Probation officers would be given the authority of law enforcement officers on prison property for the purpose of protecting life and property, transferring prisoners and for apprehending and returning to prison escaped prisoners. This authority would not apply while on the property of jails.

2. Probation officers would have the authority to assist law enforcement officers in making arrests and preventing escapes from custody, when requested to assist by law enforcement officers, or when, in the judgment of the probation officer, such assistance is necessary. Therefore, a probation officer could exercise this authority without receiving a request for assistance from a law enforcement officer.
3. As a regular condition of probation, a defendant would be required to submit to a warrantless search by a probation officer, or by a law enforcement officer assisting a probation officer, of the defendant's cellular telephone, computer, or other electronic device, while the defendant is present.
4. Additionally, a defendant on probation would be required to submit to a warrantless search by a probation officer, or by a law enforcement officer assisting a probation officer, of the defendant's person, property, place of residence, vehicle and personal effects. Currently, defendants on probation are only required to submit to warrantless searches of the defendant's person, vehicle and premises.
5. The Community Corrections Section of the Division of Adult Correction and Juvenile Justice would have the authority to impose various restrictions on defendants placed on supervised probation for impaired driving convictions. Among these restrictions, the defendant could be required to perform community service, submit to substance abuse assessment and submit to periods of confinement in a local confinement facility (jail) for up to six days per month during any three months during the period of probation. Any confinement periods would have to be imposed as two-day or three-day consecutive periods.

**Introduced by Representative McNeill, and assigned to the House Judiciary III Committee.**

HOUSE BILL 370, Interstate Compact Bill, would make numerous changes to how offenders under the Interstate Compact for Adult Offender Supervision (Compact) are handled in North Carolina when the offender violates conditions of their probation. The Compact is a system created to provide coordination among the states for the transfer of supervised offenders across state boundaries.

Among these changes, this bill would allow for a court in North Carolina to order a supervised misdemeanor offender, who violated conditions of their probation, to serve periods of confinement in local jails for a total of no more than six days per month during any three months. The six days of confinement would only be able to be imposed as two-day or three-day consecutive periods.

Offenders on supervised probation for misdemeanor impaired driving convictions, who violate a condition of their probation, could be ordered under this bill to serve a period of confinement of up to 90 consecutive days in the Statewide Misdemeanant Confinement Program.

Additionally, the bill would require a court in North Carolina to assess whether or not an out-of-

state probationer moving into North Carolina, who has to register as a sex offender, should be subject to satellite-based monitoring. **Introduced by Representative Stevens, and assigned to the House Judiciary III Committee.**

HOUSE BILL 374, 2017 DOL Technical Changes, would make it a Class 2 misdemeanor to operate a carnival ride, such as a roller coaster, in an unsafe manner, or to operate the device without having it properly registered with the Department of Labor. A second or subsequent violation would be a Class 1 misdemeanor. If the unsafe operation of the device results in serious injury or death, then the crime would be a Class E felony. **Introduced by Representatives McElraft, Howard, Johnson and Hurley, and assigned to the House Committee on State and Local Government II.**

HOUSE BILL 384, Increase Penalties/Organized Retail Theft, would expand the circumstances under which a person commits the Class H felony offense of “larceny from a merchant.” This bill provides that the crime would be committed if a person exchanges stolen property for something of value or returns stolen property using fictitious identification so that the merchant cannot identify the person returning the merchandise. Currently, a person commits larceny from a merchant when they do any of the following: (1) take infant formula; (2) take property worth over \$200; (3) take merchandise by removing or destroying an antishoplifting device; or (4) affix a fraudulent product code (swapping tags) to take the property.

The bill would also define “organized retail theft enterprise” as the association of two or more people for the purpose of engaging in organized retail theft. It would be a Class G felony to act as a leader of an organized retail theft enterprise, such as by organizing, supervising or financing the scheme to transfer or sell property stolen from a merchant, or to conspire with another to steal \$20,000 or more in retail property within a 90 day period, with the intent to sell the property.

Finally, the bill would make changes to our currency converter laws. The bill would include in the definition of a “currency converter” anyone who purchases gift cards or merchandise cards from the public for cash; therefore, subjecting individuals who purchase these cards to the laws regulating currency converters. A currency converter is currently defined as a person engaged in the business of purchasing goods from the public for cash. **Introduced by Representatives Fraley, Jordan, Warren and Wray.**

HOUSE BILL 385, Impaired Hunting/Orange County, would add Orange County to the list of counties that prohibit hunting on private property while under the influence of an impairing substance. A violation is a Class 2 misdemeanor. Currently, this prohibition on impaired hunting on private property applies only to Caswell, Johnston and Stanley counties. **Introduced by Representatives Meyer and Insko.**

HOUSE BILL 388, Modernize Mutual Assistance Statutes, would create a presumption that a law enforcement agency is authorized to lend assistance to another law enforcement agency upon request. This bill would allow a law enforcement agency to provide temporary assistance to another law enforcement agency, upon request by the head of the requesting agency, without the necessity of the governing body of the city or county adopting a resolution allowing for the law

enforcement assistance. Currently, a city council or board of county commissioners must pass a resolution authorizing the head of a law enforcement agency to enter into an agreement with the head of another law enforcement agency before the assisting agency is authorized to provide assistance to the requesting agency. Under this bill, a governing body can still prohibit the assistance by enacting an ordinance to that effect. **Introduced by Representatives McNeill, Faircloth and Meyer.**

HOUSE BILL 395, Add Member to NC Training Standards Commiss, would give the North Carolina Police Benevolent Association (PBA) a seat on the North Carolina Criminal Justice Education and Training Standards Commission. This PBA representative would have to be a full-time sworn law enforcement officer. **Introduced by Representatives Jordan and R. Turner.**

HOUSE BILL 399, Stop Images Taken W/O Consent From Dissemin, is identical to Senate Bill 255, Stop Images Taken W/O Consent From Dissemin, which is summarized below in this Weekly Legislative Report. **Introduced by Representatives Malone, Adcock, Faircloth and R. Turner.**

SENATE BILL 249, Coyote Bounty Pilot Program, would allow the Wildlife Resources Commission to issue a permit to allow Richmond County to capture, neuter and tag coyotes. Richmond County, or a local nonprofit organization, would be able to offer a bounty of not less than \$500 for tagged coyotes. **Introduced by Senator McInnis, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 251, Privacy/Protect SSN/CHP, would require State and local law enforcement agencies who get access to the application information of a concealed handgun permittee to keep the information confidential. The bill would also require the State Bureau of Investigation to list only the last four digits of the permittee's social security number in the State electronic database of concealed handgun permittees. **Introduced by Senators Barefoot, Brock and Randleman, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 255, Stop Images Taken W/O Consent From Dissemin, is identical to House Bill 399, Stop Images Taken W/O Consent From Dissemin, which is summarized above in this Weekly Legislative Report. This bill would modify the crime of "disclosures of private images." Currently, an offender commits this crime if, for the purpose of humiliating or harassing a person, they disclose the image of another person's private parts, or the image of a person engaged in sexual activity, under circumstances in which the offender should know the depicted person has a reasonable expectation of privacy (for example, the depicted person was in a personal relationship with the offender). This bill would remove the requirement that the depicted person have a reasonable expectation of privacy. Instead, the crime would require that the offender obtained the image without the consent of the depicted person, or under circumstances that the depicted person expected the images to remain private. **Introduced by Senators Bishop, Britt and Bryant, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 256, Body Art Regulation Changes, is identical to House Bill 250, Body Art



Regulation Changes, which was summarized in the March 3, 2017 Weekly Legislative Report. This bill would make it a Class A1 misdemeanor to engage in body art procedures (such as tattooing) without first obtaining a permit to do so from the Department of Health and Human Services. **Introduced by Senators J. Davis and Foushee, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 258, Enact Naturopathic Doctors Certification Act, would establish the North Carolina Naturopathic Doctor Certification Board, which would create a certification system for those individuals that practice naturopathic medicine. Naturopathic medicine is a system of natural health care that uses natural medicines and therapies to treat patients. Any person who practices naturopathic medicine without being certified by the North Carolina Naturopathic Doctor Certification Board would be guilty of a Class 1 misdemeanor. **Introduced by Senators Krawiec, Tillman and Tucker, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 269, Durham Speed Device Pilot/School Zones, would allow the City of Durham to create a pilot program for the installation and use of electronic speed-measuring systems in school zones. These systems would detect speeding motor vehicles in school zones and would capture an image of the vehicle's license plate. A civil citation would be issued to the registered owner of the vehicle and a \$250 penalty assessed. The registered owner would be given 30 days to pay the civil penalty, or to provide an affidavit attesting that another person was driving the vehicle. The affidavit would have to contain the name and address of the alleged "driver" so the correct person could be issued a civil citation. The citations would be only civil in nature and would not result in drivers license points or insurance points.

The bill would require that any photographs of motor vehicle violations must be provided to law enforcement as potential evidence in a criminal proceeding for speeding in a school zone. In the event law enforcement pursues criminal charges, the offender would not be subject to the civil penalties imposed under this bill. **Introduced by Senator McKissick, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 274, Robeson First Responders Training/Funds, would appropriate \$300,000 from the General Fund to the Robeson Community College for the training of fire, rescue and law enforcement personnel. **Introduced by Senator Britt, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 275, Columbus Swift Water Training/Funds, would appropriate \$25,000 from the General Fund to Columbus County for swift water rescue training and equipment. **Introduced by Senator Britt, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 276, Robeson Swift Water Training/Funds, would appropriate \$40,000 from the General Fund to Robeson County for swift water rescue training and equipment. **Introduced by Senator Britt, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 286, Amend LEO Recordings: Decision Authority, would make law

enforcement recordings by the City of Winston-Salem (such as dashboard camera recordings and body-worn camera recordings) a matter of public record. In order to stop the release of a recording, the law enforcement agency that made the recording, the district attorney or the City of Winston-Salem would have to file a petition in superior court and seek a court order to stop the release of the recording. Although unclear, the bill appears to apply only to the Winston-Salem Police Department.

Currently, law enforcement recordings are not public record and can only be released with a court order, except when released for certain law enforcement purposes. **Introduced by Senator Lowe, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 292, Ordinance Violation Not a Misdemeanor, would prohibit any city, county or municipal ordinance from being punished as a misdemeanor or infraction “unless expressly provided by general law.” The bill does not define what is meant by “general law,” but presumably it would mean a law passed by the General Assembly. Currently, the violation of a city or county ordinance is a Class 3 misdemeanor. **Introduced by Senators Lee, J. Jackson and Britt, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 299, Habitual Impaired Driving/10-Year Period, would exclude from the 10-year period used to calculate a habitual impaired driving offense any time an offender spent incarcerated. Currently, a person commits the offense of habitual impaired driving if they have been convicted of three or more impaired driving offenses within 10 years of the date of the current offense. This bill would not include any time spent incarcerated in the 10-year calculation. **Introduced by Senators J. Jackson, Newton and Britt, and assigned to the Committee On Rules and Operations of the Senate.**

SENATE BILL 303, Use of Passing Lane/Increased Penalty, would require any motor vehicle operated on a multilane roadway that is traveling less than the posted speed limit or that is “impeding the steady flow” of traffic, to use a lane other than the inside lane next to the centerline or median. This prohibition would not apply if the slower moving vehicle is attempting to pass another vehicle or is making a left-hand turn. Impeding the steady flow of traffic would occur when a motorist knows, or should know, that another vehicle is attempting to pass their vehicle from the rear. Anyone who violates this rule would be guilty of an infraction and would be subject to a \$200 fine. **Introduced by Senators Tarte, McInnis and J. Davis.**

SENATE BILL 308, Amend Various DWI Statutes, modifies our misdemeanor statute of limitations and is substantially similar to Senate Bill 189, Tolling of Misd. Statute of Limitations, which was summarized in the March 10, 2017 Weekly Legislative Report. The bill would also make changes to how a prosecutor would present Horizontal Gaze Nystagmus evidence in a driving while impaired hearing in court. **Introduced by Senator J. Davis.**

SENATE BILL 309, 9/11 as First Responders Day, would designate September 11 as an annual day of remembrance for all first responders and would make September 11 a State recognized public holiday. First responders are referred to in this bill as police, firefighters, emergency medical workers, State troopers and public health personnel. **Introduced by Senator Sanderson.**

SENATE BILL 313, Increase Small Brewery Limits, is substantially similar to House Bill 67, Increase Small Brewery Limits, which was summarized in the February 10, 2017 Weekly Legislative Report. This bill would increase the amount of malt beverage a small brewery could sell from 25,000 barrels annually to 103,091 barrels annually. **Introduced by Senators Tarte, Krawiec and J. Jackson.**

SENATE BILL 314, Give Retirees 2% COLA/Funds, would provide a cost of living adjustment of 2% for retirees of the Teachers' and State Employees' Retirement System, the Judicial Retirement System and the Legislative Retirement System. **Introduced by Senators Waddell, D. Davis and Smith-Ingram.**

SENATE BILL 316, Suicide Prevention/Awareness School Personnel, is identical to House Bill 285, Suicide Prevention/Awareness School Personnel, which was summarized in the March 10, 2017 Weekly Legislative Report. This bill would require the State Board of Education, in consultation with the Department of Health and Human Services, to develop a youth suicide awareness and prevention training program. This training would be provided to school personnel who work directly with students in grades Kindergarten through 12th, to include school safety resource officers (SROs). **Introduced by Senators Krawiec, D. Davis and Pate.**

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#### BILL STATUS

HOUSE BILL 63, Citizens Protection Act of 2017, was summarized in the February 10, 2017 Weekly Legislative Report and would make changes to the criminal counterfeit and fake identification laws; would create a rebuttable presumption that an illegal alien is a flight risk; would require any illegal alien charged with a felony or Class A1 misdemeanor to post a secured appearance bond as a condition of pretrial release; and would allow State or local law enforcement agencies to securely transport an illegal alien to a federal facility in this State or to a designated point of transfer outside the jurisdiction of the local agency (which could include out-of-state transfer).

This bill was amended to add provisions that are substantially similar to those provisions in Senate Bill 145, Government Immigration Compliance, which was summarized in the March 3, 2017 Weekly Legislative Report. The amendment would require the North Carolina Attorney General to investigate citizen complaints alleging that a city, county or law enforcement agency is not in compliance with State laws related to immigration. If, after an investigation, the Attorney General finds that the unit of local government or law enforcement agency is not in compliance with State laws related to immigration, the unit of local government or the law enforcement agency would be ineligible to receive certain money from the State.

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

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