

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

June 14, 2019

The pace of committee activity has picked up this week as the legislature moves forward toward a possible June 30 adjournment.

While a lot of work is still going on behind closed doors with negotiations between the House and Senate on the State budget bill, committees dealing with other non-financial issues are seeing increased activity.

Also notable is the fact that some of the more significant or controversial bills are beginning to move. That is a clear indication that the General Assembly is moving toward adjournment.

The House and Senate adjourned and will reconvene early next week.

BILL STATUS

[HOUSE BILL 37](#), Child Sex Abuse/Extend Statute of Limitations, which is summarized in the February 8, 2019 Weekly Legislative Report, has been amended to extend the time within which a victim can file a civil lawsuit against a defendant based on sexual abuse suffered while the plaintiff was under the age of 18. As amended, the bill would provide that a victim of sexual abuse that occurred while the victim was under 18 years of age could be brought by the victim against a defendant at any time until the victim reaches 38 years of age. Currently, a plaintiff who was the victim of sexual abuse has 10 years from the time the abuse occurred to bring a civil lawsuit against a defendant.

The bill, as amended, would also 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. Training programs would be provided by local nongovernmental organizations, local law enforcement officers, or officers of the court (such as, for example, judges or assistant district attorneys).

The bill would require school personnel to take two hours of this training biannually. The training would provide instruction related to child sexual abuse and sex trafficking and would include training on the warning signs of sexual abuse and sex trafficking, how to intervene when sexual abuse or sex trafficking is suspected or disclosed, the legal responsibilities for reporting sexual abuse or sex trafficking, and the available resources for assistance.

[HOUSE BILL 82](#), Railroad Crossings/On-Track Equipment, which is summarized in the February 15, 2019 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

[HOUSE BILL 179](#), Mini-Truck Classification, which is summarized in the March 1, 2019 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

[HOUSE BILL 228](#), Modernize Laws Pertaining to NC Medical Board, which is summarized in the March 1, 2019 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 389](#), ABC/Univ Athletic Facility, which is summarized in the March 22, 2019 Weekly Legislative Report, would 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. Currently, alcohol sales to the general public at a stadium, athletic facility, or arena on the property of a public college or university is prohibited.

The bill has been amended to clarify that a public college or university would not include a community college and therefore alcohol sales would not be allowed at any stadium, athletic facility, or arena on the campus or property of a community college. In addition, as amended, the bill would allow 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. Currently, alcohol sales are only allowed at these NASCAR-sanctioned race tracks if the event is not sponsored or funded by the public college or university.

[HOUSE BILL 415](#), Photos of Juveniles/Show-ups, which is summarized in the March 22, 2019 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

[HOUSE BILL 463](#), Education/Job Readiness in Prisons & Jails, which is summarized in the March 29, 2019 Weekly Legislative Report, has been amended to remove the provisions from the original bill that would allow prisoners in prisons and local jails to apply for certain state college grant programs.

[SENATE BILL 11](#), ABC Regulation and Reform, which is summarized in the February 1, 2019 Weekly Legislative Report, has passed the Senate, passed the House with amendment and has been sent back to the Senate for consideration of the House amendment.

[SENATE BILL 148](#), Public Records/Release of LEO Recordings, which is summarized in the March 1, 2019 Weekly Legislative Report, has passed the Senate, passed the House with amendment and has been sent back to the Senate for consideration of the House amendment. As amended, the bill would 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 may not release these recordings to the public without a court order but can release the recordings to another law enforcement agency for law enforcement purposes or for training purposes.

[SENATE BILL 151](#), Break or Enter Pharmacy/Increase Penalty, which is summarized in the March 1, 2019 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

[SENATE BILL 290](#), Distiller Regulatory Reform Bill, which is summarized in the March 22, 2019 Weekly Legislative Report, has been amended to allow under limited circumstances the shipment of bottles or cases of spirituous liquor directly from a distillery to a mixed beverage permittee, such as a restaurant or hotel.

The bill would require a local ABC board to notify the Alcoholic Beverage Control (ABC) Commission within 48 hours of the order that the local ABC board does not have the inventory to fulfill the order. The ABC Commission would then be required to authorize shipment directly from the distiller to the mixed beverage permittee, but the distiller would be required to consent to making a direct shipment. Currently, shipments of spirituous liquor to mixed beverage permittees are shipped directly from local ABC board inventory or ABC warehouse inventory.

The bill, as amended, would require a distillery to obtain a mixed beverage permit in order to sell mixed beverages containing spirituous liquor other than that produced at the distillery. In addition, the bill has been amended to remove the provisions of the original bill that would allow the holder of a distillery permit to sell, deliver, and ship spirituous liquor in closed containers at wholesale to holders of a mixed beverages permit and at wholesale or retail to consumers in other states or nations.

Finally, the bill has been amended to remove the provisions of the original bill that would allow a "bar" to obtain an on-premises malt beverage permit, on-premises unfortified wine permit, on-premises fortified wine permit, brown-bagging permit, special occasion permit, and mixed beverages permit.

[SENATE BILL 315](#), North Carolina Farm Act of 2019, which is summarized in the March 22, 2019 Weekly Legislative Report, has been amended to add a new section to Chapter 90 of the North Carolina General Statutes that would prohibit a person that has a valid license to grow hemp issued by the North Carolina Hemp Commission from being prosecuted under our State's drug laws if their hemp crop contains a tetrahydrocannabinol (THC) level over .3%, which is currently an illegal amount under federal law, unless the farmer willfully, knowingly or intentionally caused the crop to produce an illegal amount of THC.

The purpose of providing this protection from criminal prosecution for licensed hemp growers is based upon scientific study that has shown hemp plants can produce illegal amounts of THC if the plant is subject to stressful growing conditions, such as drought, flooding, excessive nutrients, heat and cold conditions. Therefore, it would be possible for a licensed hemp grower to grow hemp that has produced an illegal amount of THC without having knowledge of this condition.

[SENATE BILL 381](#), Reconstitute/Clarify Boards and Commissions, which is summarized in the May 31, 2019 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

The **Weekly 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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