

# North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



## Weekly Legislative Report

July 3, 2019

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As we reported last week, the House is off this week with no committee meetings being held and no action scheduled on the House Calendar. As we also reported last week, the Senate did meet on Monday and Tuesday of this week to transact some business and they are now adjourned until Monday, July 8<sup>th</sup> as well.

As he promised in a news conference last Friday, Governor Roy Cooper vetoed the General Assembly's State budget bill. The General Assembly will now decide whether to negotiate with the Governor in hopes of getting a new budget bill for this year or whether to allow State government to continue operating at last year's funding level without a new State budget. At least State government programs did not shut down at midnight on June 30<sup>th</sup> due to the lack of an agreed-upon State budget.

We hope that you enjoy the Independence Day holiday and remember the reason for it, as detailed in our June 28<sup>th</sup> edition of the Weekly Legislative Report!

The next edition of the NCSA Weekly Legislative Report will be published on Friday, July 12<sup>th</sup>.

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## BILL STATUS

[HOUSE BILL 106](#), [PED/Inmate Health Care Reimbursement](#), which is summarized in the February 22, 2019 Weekly Legislative Report, has passed the House, passed the Senate with amendment and has been sent back to the House for consideration of the Senate amendment.

[HOUSE BILL 211](#), [Various DMV Changes](#), which is summarized in the March 1, 2019 Weekly Legislative Report, has passed the House, passed the Senate with amendment and has been sent back to the House for consideration of the Senate amendment.

[HOUSE BILL 217](#), [DIT Changes.-AB](#), which is summarized in the April 26, 2019 Weekly Legislative Report, has passed the House, passed the Senate with amendment and has been sent back to the House for consideration of the Senate amendment. At the request of the North Carolina Sheriffs' Association, this bill was amended to make it clear that telecommunicators employed by sheriffs' offices are regulated by the North Carolina Sheriffs' Education and Training Standards Commission and are not regulated by the 911 Board.

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[HOUSE BILL 629](#), Law-Enforcement Mutual Aid, which is summarized in the April 12, 2019 Weekly Legislative Report, has passed the House, passed the Senate with amendment and has been sent back to the House for consideration of the Senate amendment. **The North Carolina Sheriffs' Association SUPPORTS – HIGH PRIORITY this bill.**

[SENATE BILL 315](#), North Carolina Farm Act of 2019: In a rare Friday meeting, last Friday the House Agriculture Committee met for over three hours to discuss this one legislative bill. Almost all of the discussion related to the provisions on “smokable hemp” and the concerns of law enforcement and district attorneys about the bill.

Numerous sheriffs, police chiefs, district attorneys, deputy sheriffs, police officers, agents of the North Carolina State Bureau of Investigation and representatives of the North Carolina State Crime Laboratory attended the meeting to convince the Committee to take appropriate action that will prevent the de facto legalization of marijuana. The version of the bill considered by the Committee would not legalize marijuana but it would make it practically impossible for law enforcement officers to enforce the law against marijuana and for district attorneys to prosecute violations of the marijuana law.

With the full support of the law enforcement and prosecutorial community, the Committee overwhelmingly agreed to adopt an amendment to the bill that will implement the requests of law enforcement and district attorneys.

Lawyers for law enforcement and the General Assembly have expressed the legal opinion that “smokable hemp” is currently unlawful in North Carolina. However, at least one non-law enforcement State agency has stated that “smokable hemp” is currently lawful in North Carolina. The amendment adopted last Friday, if enacted into law, will resolve this issue without question.

The amendment adopted in committee will make it clear that “smokable hemp” is unlawful in North Carolina beginning December 1, 2019. Those provisions will be put into the same General Statute that currently outlaws marijuana. This will enable law enforcement officers to charge for a violation of that statute if the defendant is possessing, manufacturing or distributing marijuana, or is possessing smokable hemp, or is manufacturing or distributing smokable hemp without a license, or any combination of these actions.

The bill has now been referred to the House Finance Committee. If this bill continues to move forward as expected, it is scheduled to also be referred to the House Judiciary Committee and the House Rules Committee and then back to the full Senate for further consideration of the House changes. The bill could get stopped at any point along the way, and could get changed further, or changed back to the way it was, at any step along the way.

The debate and discussion on this issue is far from over, but the adoption of the amendment last Friday was a huge accomplishment to make smokable hemp illegal effective December 1, 2019 and to put that language in the same statute with the law that makes marijuana illegal.

We will continue to work on this bill as it moves through the legislative process. The North Carolina Sheriffs' Association **SUPPORTS – HIGH PRIORITY** enactment of legislation to

clearly ban smokable hemp effective as soon as possible and no later than December 1, 2019, and to do so in the same General Statute that currently outlaws marijuana. The Association is **OPPOSED - HIGH PRIORITY** to any legislation that will postpone the effective date of a ban on smokable hemp until December 1, 2020 or any date beyond December 1, 2019.

[SENATE BILL 579](#), [Prison Reform Act of 2019](#), which is summarized in the April 5, 2019 Weekly Legislative Report, has passed the Senate and has been sent to the House for consideration.

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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.

North Carolina Sheriffs' Association, Inc.

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