

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

August 16, 2019

If there is any sense of urgency about adjourning this year's legislative session, it is extremely well disguised. The House and Senate appear to have settled into a comfortable routine of each having substantive meetings 2 to 3 days per week with very few legislative bills on the agenda and almost no committee meetings.

There are a number of important legislative bills still pending and no doubt there is a lot of work going on behind the scenes on those bills with folks trying to reach a consensus so that the bills can be enacted before this year's legislative session adjourns. The short legislative weeks during which legislators are in Raleigh seem to complicate the efforts for folks to get together and resolve those important pending legislative bills.

The standoff over the State budget bill continues. The Republicans publicly express confidence that they will eventually be able to override Governor Cooper's veto of the budget, and the Democrats publicly express their confidence that the Governor's veto of the budget will be upheld.

Both the House and Senate have adjourned. The House is scheduled to return on Monday evening and the Senate is scheduled to return on Tuesday morning.

BILL STATUS

[HOUSE BILL 99](#), [Transfer ALE](#), which is summarized in the February 22, 2019 Weekly Legislative Report, has been amended to clarify that ALE agents have certain limited authority to execute criminal process, to take enforcement action against any crime of violence or breach of the peace and to carry out additional duties as directed by the Governor or the Secretary of the North Carolina Department of Public Safety during disasters or states of emergency, or during certain public events.

The bill, as previously reported, also limits the jurisdiction of ALE agents to:

1. The enforcement of ABC laws, lottery laws, and youth tobacco laws.
2. The enforcement of other criminal laws only when the crime is discovered during enforcement of ABC laws, lottery laws, or youth tobacco law.
3. Crimes committed in the ALE agent's presence.

4. Enforcement actions when assisting another law enforcement agency in an investigation.

Currently, ALE agents may arrest for any criminal offense at any time, although their primary responsibility is the enforcement of alcoholic beverage control (ABC) laws, lottery laws and youth tobacco laws. **The North Carolina Sheriffs' Association SUPPORTS this bill.**

[HOUSE BILL 206](#), Various Transportation Changes, which is summarized in the August 9, 2019 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

[HOUSE BILL 217](#), DIT Changes.-AB, which is summarized in the April 26, 2019 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature. **This bill is SUPPORTED by the North Carolina Sheriffs' Association and by the North Carolina Association of Chiefs of Police.**

[HOUSE BILL 391](#), Passenger Protection Act, which is summarized in the June 7, 2019 Weekly Legislative Report, has been approved by the General Assembly and has been signed into law by Governor Roy Cooper with an effective date of August 9, 2019, unless noted otherwise in the bill.

[HOUSE BILL 760](#), Expand Loss Prevention Investigations, which is summarized in the April 18, 2019 Weekly Legislative Report, has been approved by the General Assembly and has been signed into law by Governor Roy Cooper with an effective date of August 9, 2019, unless noted otherwise in the bill.

[SENATE BILL 553](#), Regulatory Reform Act of 2019, which is summarized in the June 28, 2019 Weekly Legislative Report, has been amended and would remove the counties of Onslow and Rockingham from the list of counties in which motor vehicle emissions inspections are required.

Currently, motor vehicle emissions inspections are required only in the following counties: Alamance, Buncombe, Cabarrus, Cumberland, Davidson, Durham, Forsyth, Franklin, Gaston, Guilford, Iredell, Johnston, Lee, Lincoln, Mecklenburg, New Hanover, Onslow, Randolph, Rockingham, Rowan, Union and Wake.

The bill, as amended, would also clarify that alcohol sales at stadiums on the campus of a public college or university would also apply to stadiums with a permanent seating capacity of 2,000 or greater that are leased to a private corporation in this State for a year or more. Alcohol sales at these leased stadiums would have to be approved by the Board of Trustees of the public college or university and alcohol sales would have to be limited to events not sponsored or funded by the public college or university.

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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