

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

September 13, 2019

After being on “break” last week, the legislature returned on Monday of this week and “hit the ground running.”

A lot of the work this week, and related publicity, involved the House and Senate redistricting committees that are preparing new legislative maps for the upcoming 2020 election. A recent court case gave the legislature a short period of time to redraw the maps and these committees have been working diligently, with each committee meeting numerous times throughout the day all week.

In a session on Wednesday that unfolded in a dramatic fashion, the House voted to override Governor Roy Cooper’s veto of the state budget bill. Senate leadership announced that they would not vote this week on whether or not to overturn the Governor’s veto. However, it is expected that the Senate will attempt to override the Governor’s veto of the budget bill sometime before the end of this year’s legislative session.

By the length of today’s Weekly Legislative Report, you can see that numerous legislative bills have been considered this week, with many of them being amended. The legislative pace definitely picked up some this week.

The House and Senate are scheduled to resume their business early next week.

BILL STATUS

[HOUSE BILL 29](#), [Standing Up for Rape Victims Act of 2019](#), which is summarized in the February 28, 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 bill would require every law enforcement agency that possesses Sexual Assault Examination Kits (SAEKs) completed [on or before January 1, 2018](#) to establish a “review team” to conduct a case review of each SAEK to determine the priority for submitting untested SAEKs to the North Carolina State Crime Laboratory, or an approved laboratory for testing.

The bill, as amended, would clarify that the members of a review team may consist of active [or retired](#) law enforcement officers. As amended, the bill would also require the North Carolina State Crime Laboratory to report to the Joint Legislative Oversight Committee on Justice and Public Safety on the use of funds appropriated for the testing of SAEKs no later than March 1, 2020.

[HOUSE BILL 75](#), School Mental Health Screening Study, has passed the House, passed the Senate with amendment and has been sent back to the House for consideration of the Senate amendment. The bill has been amended to change the entire content of the bill and to rename the bill "School Safety Funds, Programs, and Reports."

The bill, as amended, would require the North Carolina Center for Safer Schools to conduct an annual census of school resource officers (SROs) that are working in public schools. The North Carolina Center for Safer Schools would also be required to report the following information annually to the Joint Legislative Education Oversight Committee and to the North Carolina State Board of Education:

1. The total number of SROs in the State at each public school.
2. For each SRO, their education level, years as a sworn law enforcement officer and years of service as an SRO.
3. The training required of SROs and the training actually completed by the SRO.
4. The funding source for each SRO.
5. The location of the SRO in terms of grade level supervision and type of public school.
6. The percentage of SROs assigned to more than one school.
7. The employing law enforcement agency of each SRO.

The bill, as amended, would require the Superintendent of the North Carolina Department of Public Instruction (DPI) to establish the School Resource Officer Grants Program. Public schools, including charter schools, would be allowed to apply for SRO grants that would be used to either employ or train SROs. In order to qualify for these grant funds, a public secondary school would be required to have an assessment performed, in conjunction with a local law enforcement agency, that would identify the school's needs for improving safety.

In administering the SRO grants, the Superintendent of DPI would be required to consider, at a minimum, the level of resources available to the public school, whether the public school has previously received school safety grants, and the overall impact on school safety if the SRO grants are awarded to the school.

The bill, as amended, would also repeal the School Safety Grants Program enacted in the Appropriations Act of 2018 (the 2018 "State Budget Bill") and would instead require the Superintendent of DPI to establish the "2019 School Safety Grants Program" for the purpose of improving school safety.

Public schools, including charter schools, would be allowed to apply for grants under the 2019 School Safety Grants Program to pay for services for students in crisis, school safety training and for safety equipment in schools. In order to qualify for these grants, a public secondary school

would be required to have an assessment performed, in conjunction with a local law enforcement agency, that would help identify current and ongoing safety needs.

The bill would appropriate the following funds to the North Carolina Department of Public Instruction to award grants under the 2019 School Safety Grants Program:

1. \$6.1 million in nonrecurring funds for the 2019-2020 fiscal year to award grants for school safety equipment.
2. \$4.5 million in nonrecurring funds for the 2019-2020 fiscal year to award grants for providing training to students, school employees and first responders on how to improve school safety and to respond to trauma and significant stress.
3. \$4.5 million in nonrecurring funds for the 2019-2020 fiscal year to award grants for providing crisis services for students, such as behavioral therapy, parent-child interaction therapy and peer-to-peer mentoring.
4. \$3 million in recurring funds for the 2019-2020 fiscal year and \$6 million in recurring funds for the 2020-2021 fiscal year to award grants for the employment and training of School Resource Officers.

The bill, as amended, would require the North Carolina Department of Public Instruction and the North Carolina Center for Safer Schools, in consultation with the North Carolina Department of Health and Human Services and the North Carolina Department of Public Safety, Division of Emergency Management, to develop a recommended Mental Health Crisis Response Program that would allow for the temporary transfer of school mental health personnel from one school administrative unit to another school administrative unit in times of crisis, such as immediately following an act of mass violence at a school.

The bill, as amended, would require the North Carolina Department of Public Instruction to submit a report on the recommended Mental Health Crisis Response Program to the Joint Legislative Education Oversight Committee no later than March 15, 2020.

Finally, the bill would appropriate to the North Carolina Department of Public Safety funds to employ eight new full-time agent positions at the North Carolina State Bureau of Investigation that would be tasked with supporting the Behavioral Threat Assessment program (BeTA). The purpose of the BeTA program is to work with local law enforcement and local communities to identify, investigate, assess and manage threats of targeted attacks such as mass violence at schools, places of worship or other areas of large gatherings.

[HOUSE BILL 211](#), [Various DMV Changes](#), which is summarized in the March 15, 2019 Weekly Legislative Report, has been amended in the Senate and would require all vehicle registration plates to be replaced every seven years regardless of the condition of the plate.

The bill, as amended, would also clarify that a safety helmet is not required to be worn by an operator or passenger of an autocycle that is equipped with a roll bar or roll cage. Currently, an

operator or passenger of an autocycle is not required to wear a safety helmet if the autocycle has seating that is completely enclosed.

[HOUSE BILL 283](#), Conner's Law, which is summarized in the March 8, 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.**

[HOUSE BILL 449](#), Special Registration Plates, which is summarized in the August 23, 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 March 1, 2020.

[HOUSE BILL 609](#), Salary Increases/Adult Correctional Employees, which is summarized in the August 23, 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 July 1, 2019, unless noted otherwise in the bill.

[HOUSE BILL 966](#), 2019 Appropriations Act, which is summarized in the June 28, 2019 Weekly Legislative Report, was vetoed by Governor Roy Cooper on June 28, 2019. The House has overridden the Governor's veto and the bill has been sent back to the Senate to see if there are enough votes in the Senate to override the Governor's veto.

[SENATE BILL 118](#), PED/Safekeeper Health Care Cost Recov. Pract., which is summarized in the February 22, 2019 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature. The bill has been amended to change the entire content of the bill and to rename the bill "Prison Safety/TANF State Plan/Clarifications."

The bill, as amended, would appropriate \$4.4 million in nonrecurring funds to the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice, for the 2019-2020 fiscal year to improve safety in State prison facilities as follows:

1. \$400,000 in funds would be used to purchase stab resistant vests and exterior carriers for prison facility staff.
2. \$731,000 in funds would be used to erect security netting over prison fence lines to deter contraband from being introduced into prison facilities.
3. \$216,000 in funds would be used to purchase additional handheld metal detectors to reduce contraband in prison facilities.
4. \$675,000 in funds would be used to purchase key lock boxes for prison facilities.
5. \$2.4 million in funds would be used for information technology and security equipment upgrades for prison facilities.

The bill, as amended, would also require the North Carolina Department of Public Safety to report the following information on prison reform initiatives to the Joint Legislative Oversight

Committee on Justice and Public Safety, beginning on November 1, 2019 and continuing quarterly through the 2019-2021 fiscal biennium:

1. The modification of rules, policies or procedures that are related to disciplinary action against correctional officers or correctional staff.
2. The modification of rules, policies or procedures that are related to disciplinary action against inmates.
3. The frequency and content of staff training.
4. Modifications to inmate work assignments.
5. The types of facility infrastructure improvements.
6. The availability of staff safety equipment and institutional safety equipment.
7. The adequacy of staffing and efforts made to increase the retention of staff.
8. Any changes to the hiring or orientation process for correctional officers.
9. The methods used to prevent contraband at prison facilities.
10. Any modifications to housing capacity in order to meet prison staffing requirements.

[SENATE BILL 553](#), [Regulatory Reform Act of 2019](#), which is summarized in the August 16, 2019 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

[SENATE BILL 682](#), [Implement Crime Victim Rights Amendment](#), which is summarized in the June 28, 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 31, 2019, unless noted otherwise in the bill.

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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