

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

October 4, 2019

This year appears to be the first time that the term “mini-budget” has been used to describe a legislative bill, and it certainly is the first time that the term has been used frequently.

Because the Governor vetoed this year’s State budget bill and the General Assembly has, so far, not overridden the Governor’s veto, there is no State budget for the 2019-2020 fiscal year that began on July 1. Therefore, funding for State operations continues at the same level as it was for last year. In response to this situation, the General Assembly has been considering various “mini-budget” bills that would provide funding increases and other changes to various parts of the State budget.

The “mini-budget” bills are designed to be about programs and topics which the Governor and the General Assembly are in agreement, with the expectation that the Governor will sign those bills into law. It remains to be seen how many “mini-budget” bills will actually be approved by the General Assembly and signed into law by the Governor.

The Senate’s top leader, President Pro Tempore Phil Berger, announced that the Senate would adjourn this year’s Session on or before October 31. The top House leader, Speaker Tim Moore, has not yet announced an official Session ending date for the House. There are a number of significant legislative bills still under discussion so there is likely to be a flurry of activity during the final weeks of October.

Important legislation to the criminal justice community that is still pending includes the Farm Act, dealing with regulation of smokable hemp and its impact on enforceability of the laws against marijuana; proposed revisions to the video sweepstakes laws; the First Step Act, which as originally proposed would reduce mandatory minimum prison sentences for drug traffickers; tweaks to the “Raise the Juvenile Age” legislation; adjustments to the law governing “safekeeper” prisoners sent by county jails to a State prison; and others.

The General Assembly concluded their formal work for this week on Wednesday and will return early next week, with activity not expected to begin until Tuesday.

BILL STATUS

[HOUSE BILL 100](#), Required Training Police Telecommunicators, 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. The

bill has been amended to change the entire content of the bill and to rename the bill “DOT Budget for 2019-2021 Biennium.”

The bill, as amended, would enact a budget for the North Carolina Department of Transportation (DOT) and would appropriate various funds to DOT for the 2019-2021 fiscal biennium. As amended, the bill would also reduce the number of years in age for a vehicle to qualify for an antique registration plate to 30 years old. Currently a vehicle must be at least 35 years old to qualify for an antique vehicle registration plate.

HOUSE BILL 283, Conner's Law, which is summarized in the March 15, 2019 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature. **The North Carolina Sheriffs' Association SUPPORTS – HIGH PRIORITY this bill.**

HOUSE BILL 1001, Raise the Age Funding, has passed the House with amendment and has been sent to the Senate for consideration. The bill, as amended, would provide supplemental appropriations in the event a State budget bill is not enacted into law this Session. Of interest to the criminal justice community, the bill would appropriate the following funds in anticipation of key provisions of the Juvenile Justice Reinvestment Act (“Raise the Juvenile Age”) coming into effect December 1, 2019:

1. \$30.9 million in funds for the 2019-2020 fiscal year and \$43.5 million in funds for the 2020-2021 fiscal year would be appropriated to the North Carolina Department of Public Safety to assist with implementing the “Raise the Juvenile Age” legislation. Among other things, these funds would be used to house and transport juveniles that are within the criminal justice system.
2. \$87,681 in recurring funds would be appropriated to the North Carolina Office of Indigent Defense Services for the 2019-2020 fiscal year to assist with implementing the “Raise the Juvenile Age” legislation.
3. \$373,000 in recurring funds would be appropriated to the North Carolina Administrative Office of the Courts (AOC) for the 2019-2020 fiscal year and \$1.3 million in recurring funds for the 2020-2021 fiscal year to create seven new deputy clerk positions and seven district court judge positions.
4. \$1.3 million in recurring funds for each fiscal year of the 2019-2021 fiscal biennium and \$46,000 in nonrecurring funds for the 2019-2020 fiscal year would be appropriated to AOC to create nine assistant district attorney positions and three district attorney legal assistant positions.
5. An additional \$879,000 in recurring funds for the 2020-2021 fiscal year would be appropriated to AOC to create seven assistant district attorney positions starting in the 2020-2021 fiscal year.

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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