

# North Carolina Sheriffs' Association

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**Weekly Legislative Report**

**March 26, 2021**

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As bills continue to be filed during a busy week at the General Assembly, Speaker Tim Moore announced the House would be taking a spring break the week of April 5. The House has taken similar breaks during previous sessions. The House will hold skeletal sessions during the week, but no votes will be taken. The Senate is expected to take a similar break but has not made an announcement yet.

The Governor also released his budget requests for the next biennium on Wednesday. Included in those were \$663,000 for each year of the biennium to support the Criminal Justice Fellows program, which supports community college scholarships for individuals pursuing law enforcement careers. The Governor's plan would also provide \$68,000 in funding for each year of the biennium for a new Certification Specialist with the Sheriffs' Standards Division to support telecommunicator certifications.

The Governor's budget requests also provide \$27 million in the first year of the biennium for safety and security equipment for law enforcement and State prisons, including updates to the Voice Interoperability Plan for Emergency Responders (VIPER).

Finally, the Governor's budget requests would provide funding over the biennium for the testing of Sexual Assault Evidence Collection Kits (SAECKs) in order to reduce the backlog of testing at the North Carolina State Crime Laboratory. Funding would also be provided for six new scientist positions to manage the growth in evidence submissions at the State Crime Laboratory.

With the Governor's budget requests in hand, Senate leaders will continue to work on their final budget proposal for the General Assembly. Senate leaders will also consider budget requests from each of the appropriation subcommittees which have been meeting for months. The Senate will have the first opportunity to consider and vote on the budget and what passes the Senate will then go to the House. There leaders there will take the budget through the same process before it is voted on by that chamber.

If there are differences between the Senate budget and House budget, leaders from each chamber will meet to work out the differences before the budget goes to each chamber again for a final vote. The last stop for the budget is the Governor's desk where he can choose to sign it, allow it to become law without his signature, or veto it.

The House and Senate adjourned on Thursday and will reconvene Monday, March 29, 2021.

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## BILLS OF INTEREST

[HOUSE BILL 341](#), Protection from Online Impersonation, would create the new criminal offense of “Online Impersonation.” The bill would make it a Class H felony to knowingly and without consent impersonate another person through or on a website, or by other electronic means, for purposes of harming, intimidating, threatening, or defrauding another person, including the person who is being impersonated. Other “electronic means” would include but not be limited to an e-mail account, text or instant messaging account, or an account or profile on a social networking website in another person’s name. The bill would authorize the crime to be punishable either by a fine not to exceed \$1,000, or imprisonment, or both.

Additionally, the bill would allow for a civil lawsuit against the imposter by the impersonated individual or any other person harmed, intimidated, threatened or defrauded by the impersonation.

Currently, it is either a Class 1 or Class 2 misdemeanor to engage in “cyber-bullying,” depending on the age of the perpetrator, and to pose as a minor or to build a fake profile or website for the purpose of intimidating or tormenting a minor or the minor’s parent or guardian.

Finally, the bill specifies that the offense of online impersonation would not apply to: (1) a law enforcement officer discharging or attempting to discharge official duties; or (2) a person who is a licensed private protective services professional while the person is engaged in the discharge of the person’s professional duties. **Introduced by Representatives White and Strickland, and assigned to the House Committee on Judiciary 1.**

[HOUSE BILL 349](#), Traffic-Control Training Program, makes several changes to the law governing traffic-control officers as follows:

1. The bill would raise to 21 the minimum age requirement to become a traffic-control officer. Currently, the minimum age is 18.
2. The bill would extend the expiration date of a traffic-control officer’s authorization card issued by the appointing police chief or sheriff and would also require the expiration date to appear on the authorization card. The authorization card would expire 3 years after the date of issuance. Currently, the card expires 2 years after the date of issuance.
3. The bill would authorize an alternative training option for becoming a traffic-control officer to the current 3-hour training requirement under the supervision of a law-enforcement officer. The bill would allow individuals to become traffic-control officers upon completion of eight hours of approved training through a course offered by the North Carolina Community College System in directing, controlling, or regulating traffic.

The course would be required to include 4 hours of classroom training or instruction and 4 hours of documented roadside training. Further, the bill would require those completing the training course to take a refresher course for reappointment upon expiration of the

person's initial appointment, unless the appointment is revoked by the appointing law-enforcement agency.

The bill would instruct the North Carolina Justice Academy to develop the above-described training program to be offered by the North Carolina Community College System, with requirements for initial training and a refresher course. A community college would be permitted to charge a fee for the both the training and refresher courses.

4. Finally, the bill would provide that if liability coverage for the traffic-control officer is being provided by a person or entity other than the appointing law-enforcement agency, the person seeking appointment as a traffic-control officer must provide proof of liability coverage meeting the requirements of the statute prior to being issued an authorization card.

**Introduced by Representative Brody, and assigned to the House Committee on Transportation.**

[HOUSE BILL 354](#), [Hate Crimes Prevention Act](#), would expand the categories under which a crime would be increased to a higher-level offense as a hate crime. In addition to the categories of race, color, religion, nationality or country of origin, the bill would include crimes committed because of the victim's ethnicity, gender, gender identity, gender expression, disability, or sexual orientation. The bill would increase Class 2 or Class 3 misdemeanors committed for these reasons to a Class 1 misdemeanor and would increase Class A1 or Class 1 misdemeanors committed for these reasons to a Class H felony.

The bill would expand the categories covering the crime of ethnic intimidation to include ethnicity, gender, gender identity, gender expression, disability, and sexual orientation. Currently, this offense is committed if an offender assaults another person or damages or defaces the property of another person because of their race, color, religion, nationality or country of origin.

The bill would also create the new criminal offense of "felonious assault as a hate crime." It would be a Class F felony to assault someone and inflict serious bodily injury on the person because of the victim's race, ethnicity, color, religion, nationality, country of origin, disability, gender, gender identity, or sexual orientation. The bill would make it a Class E felony if the victim dies because of the assault, or if the crime involved kidnapping, forcible rape or a forcible sex offense.

In addition, the bill would allow a victim of any of these offenses to request the court to order the defendant to attend a "restorative justice session" with the victim following conviction of the crime. The bill does not establish what specifically would occur during the restorative justice session, but does specify that the session would be administered by a member of the Human Relations Commission, an attorney, a mediator or an alternative dispute resolution professional that has training in "racial equity education." The bill would require the defendant to pay for the restorative justice session.

The bill would require the North Carolina State Bureau of Investigation (SBI) to establish a Hate Crimes Statistics Database (HCSDB) to collect, analyze and disseminate information related to the

commission of hate crimes. The type of information collected would include but not be limited to the total number of offenses committed, the characteristics of the person who committed the offense (such as the age and sex of the offender) and the disposition of each criminal case. State and local law enforcement agencies would be required to report this information to the SBI monthly for offenses committed during the preceding month. The bill would allow the SBI to share information contained in the HCSD with a local law enforcement agency, a unit of local government or a State agency.

In addition, the bill would require law enforcement training to be developed by the North Carolina Justice Academy on how to identify, respond to and report on a hate crime. The bill would also include hate crime training as part of the in-service training and minimum training standards through the North Carolina Sheriffs' Education and Training Standards Commission and the North Carolina Criminal Justice Education and Training Standards Commission.

Finally, the bill would appropriate to the SBI \$1.8 million in nonrecurring funds for the 2021-2022 fiscal year for the establishment of the HCSD. The bill would also appropriate to the SBI \$530,000 in recurring funds for the 2021-2022 fiscal year to hire an additional employee to manage the HCSD. **Introduced by Representative Majeed, and assigned to the House Committee on Judiciary 1.**

[HOUSE BILL 359](#), Driver Eligibility Certificate/License/Waiver, would require the North Carolina Division of Motor Vehicles, for the 2020-2021 and 2021-2022 school years only, to waive the current requirement that an applicant for a limited learner's permit or provisional license have a driving eligibility certificate or a high school diploma or its equivalent as long as the applicant meets all other requirements for the limited learner's permit or provisional license. **Introduced by Representative Winslow, and assigned to the House Committee on State Government.**

[HOUSE BILL 378](#), Durham/Reduce Speed Limits, is identical to [Senate Bill 240](#), which is summarized in the March 19, 2021 Weekly Legislative Report. **Introduced by Representative Hawkins, and assigned to the House Committee on Local Government.**

[HOUSE BILL 380](#), Modify Certain DV Protective Order Provisions, would allow the plaintiff and the defendant to participate in hearings to consider renewal of domestic violence protective orders via video conference, with the assistance of the clerk of superior court. Currently, hearings to consider emergency or permanent domestic violence protective orders are not permitted via video conference.

The bill would also provide that, in the event the plaintiff files a motion to renew a protective order prior to the expiration of the current protective order, but the hearing date on the motion is after the date and time that the current protective order expires, the current protective order will automatically be extended to expire at 11:59 p.m. on the date of the scheduled renewal hearing. The automatic extension would be effective upon service of notice to the defendant of both the renewal hearing and the extension. The bill specifies that the automatic extension of the current order would not be effective more than 30 days beyond the original expiration date.

Finally, the bill would require forms used by the court or the Administrative Office of the Courts to record identifying information of the plaintiff or the defendant in an action under Chapter 50B of the General Statutes to be sealed upon filing and only accessible: (1) by court order; (2) to law enforcement officers for law enforcement purposes; and (3) to approved domestic violence advocacy groups. The bill would make any unauthorized release of this sealed information a Class 1 misdemeanor. **Introduced by Representative McNeely, and assigned to the House Committee on Judiciary 2.**

[HOUSE BILL 388](#), Durham/Electronic School Zones, is identical to [Senate Bill 239](#), which is summarized in the March 19, 2021 Weekly Legislative Report. **Introduced by Representative Hawkins, and assigned to the House Committee on Local Government.**

[HOUSE BILL 392](#), Ret. Svc. Purchase/Omitted Membership Service, would allow the purchase of creditable service in the Teachers' and State Employees' Retirement System (TSERS) and the Local Governmental Employees' Retirement System (LGERS) for service in a prior year in a part-time position when the service was actually full-time. Upon a request by an employee classified as part-time, an employer would be required to provide written notification to the employee of the total hours the employee worked in the previous 12 months.

In addition, the bill would require the employer to provide a copy of the written notification to the Retirement Systems Division upon request. If the employee is found to have been classified as part-time in error, the bill would require the employer to pay the applicable employer contributions so long as the employee has paid a lump sum equal to the applicable employee contributions within one year of the omission. Currently, the law only allows employees classified as full-time the option to obtain service credit for omitted membership service. **Introduced by Representative Belk, and assigned to the House Committee on State Personnel.**

[HOUSE BILL 398](#), Pistol Purchase Permit Modifications, would authorize, but not require, a sheriff to issue a pistol purchase permit to an applicant that is a resident of a contiguous (adjacent) county, provided the applicant meets all other legal requirements to obtain the pistol purchase permit.

In the event the sheriff of the contiguous county declines to process the pistol purchase permit application, the bill would require the sheriff to provide written notice to the person within seven days of refusal and would require the sheriff to include in this notice a statement of the reason for declining to process the application. The bill allows a sheriff to refuse to process an out-of-county pistol purchase permit application for any lawful reason whatsoever, including the sheriff's decision to not process any out-of-county applications. **Introduced by Representative Adams, and assigned to the House Committee on Judiciary 4.**

[HOUSE BILL 399](#), Asheville/Law Enforcement Civilian Review Board, would authorize the City of Asheville to establish by ordinance a Citizens Review Board (Board) to review allegations of excessive use of force by law enforcement officers and make findings and recommendations to be considered by the head of the law enforcement agency in making a final determination. The ordinance must require the head of the law enforcement agency employing the law enforcement officer alleged to have committed misconduct to make available to the Board: (1) the personnel

file of that law enforcement officer; and (2) any other material deemed necessary for the citizens review board to complete its review.

The ordinance must also require members of the Board to sign a confidentiality agreement prior to appointment, and any breach of the confidentiality agreement would be punishable as a Class 2 misdemeanor with up to a \$1,000 fine.

Currently, only a limited amount of information from an employee's personnel file is public record, such as the name, age, current position, current salary, and the date and type of each promotion, demotion, transfer, suspension, or separation of the employee. Therefore, any information from an employee's personnel file aside from what is public record could only be disclosed to a citizen review board or any other person pursuant to a court order.

The Board would not possess the power of subpoena and would not have the authority to call or interview witnesses, aside from law enforcement personnel investigating the allegations and appointed law enforcement policy advisors.

This bill would apply only to the City of Asheville. Since the bill applies to fewer than 15 counties, it is considered a local bill and therefore does not require the signature of the Governor to become law. Rather, this local bill would become law when approved by the General Assembly. **Introduced by Representative Fisher, and assigned to the House Committee on Local Government.**

[HOUSE BILL 402](#), Begin Modernizing Ignition Interlock Laws, is identical to [Senate Bill 183](#), which is summarized in the March 12, 2021 Weekly Legislative Report. **Introduced by Representative Faircloth, and assigned to the House Committee on Judiciary 2.**

[HOUSE BILL 404](#), Immunity for 911 Dispatchers, would extend immunity, barring any wanton or willful misconduct, to public safety answering points (PSAPs), regional PSAPs, and their employees, directors, officers, vendors, and agents for damages in a civil action resulting from death, injury, or property damage incurred in connection with their work in the 911 system.

The immunity would include the actions of call taking, dispatching, radio operations, data terminal operations, or any combination of these call taking functions in a PSAP. Currently, neither PSAPs nor regional PSAPs are on the list of those immune under this provision, which includes communication service providers, 911 system providers, and next generation 911 system providers. The bill would remove communication service providers from this list.

The bill would exclude actions arising out of the operation or ownership of a motor vehicle by an employee or agent of a 911 system provider, next generation 911 system provider, PSAP, or regional PSAP. **Introduced by Representative Zachary, and assigned to the House Committee on Judiciary 2.**

[HOUSE BILL 406](#), Spec. Sep. Allowance/25-Yr Cleveland Cty LEOs, would require, beginning January 1, 2022, every sworn law enforcement officer employed by Cleveland County who meets the criteria below and retires on a basic service retirement to receive an annual separation

allowance based on years of service ranging from 25 to 30 years or more. To qualify the officer must: (1) have completed 25 years or more of creditable service; (2) not be 62 years of age; (3) have completed at least 10 years of continuous service as a law enforcement officer for Cleveland County immediately before service retirement; and (4) not be a recipient of the special separation allowance (SSA) for retired law enforcement officers under the State or Local Governmental retirement systems.

Currently, retired local law enforcement officers qualify for a special separation allowance if they completed 30 or more years of creditable service or have attained 55 years of age and completed 5 or more years of creditable service; and (1) have not attained 62 years of age; (2) have completed at least 5 years of continuous service as a law enforcement officer immediately prior to service retirement; and (3) have a minimum of at least 50% of membership service as a sworn law enforcement officer.

This bill would apply only to Cleveland County. Since the bill applies to fewer than 15 counties, it is considered a local bill and therefore does not require the signature of the Governor to become law. Rather, this local bill would become law when approved by the General Assembly. **Introduced by Representative Hastings.**

[HOUSE BILL 411](#), Driving without Insurance/Tow Vehicle, would require a law enforcement officer that charges a motorist for driving without liability insurance to contact a towing service to have the vehicle towed and stored at the time of the charge. The motorist would not be able to retrieve the vehicle until proof of liability insurance (at least a 6-month policy) is provided to the charging law enforcement agency and all money owed for towing and storage is paid in full.

Additionally, the bill provides that law enforcement officers would not be subject to civil liability arising from charging someone in good faith with a violation of the statute or for damages arising from the towing and storing of the motor vehicle at issue. **Introduced by Representative Cleveland.**

[HOUSE BILL 416](#), Park South Station Traffic Citations, would allow law enforcement officers contracted by the Park South Station residential community in Charlotte to issue traffic citations that occur on the private roads of the community. Currently, law enforcement officers may not issue citations for traffic violations on Homeowners' Association privately maintained roads.

This bill would apply only to the City of Charlotte. Since the bill applies to fewer than 15 counties, it is considered a local bill and therefore does not require the signature of the Governor to become law. Rather, this local bill would become law when approved by the General Assembly. **Introduced by Representative Autry.**

[HOUSE BILL 417](#), The Sergeant Mickey Hutchens Act, is substantially similar to [Senate Bill 72](#), which is summarized in the February 12, 2021 Weekly Legislative Report. The bill would allow a member of the Teachers' and State Employees' Retirement System (TSERS) or the Local Governmental Employees' Retirement System (LGERS) who has completed at least five years of membership service and who has been awarded the Advanced Law Enforcement Certificate issued by the North Carolina Sheriffs' Education and Training Standards Commission or the North

Carolina Criminal Justice Education and Training Standards Commission to purchase up to four years of creditable service in the applicable retirement system. The only difference between the two bills is the titling of each bill. **Introduced by Representative Zenger.**

**HOUSE BILL 418, Threaten LEO or Correctional Officer**, would create a new crime of “threats against law enforcement officers; others.” The bill would make it a Class A1 misdemeanor to knowingly and willfully threaten to kill or inflict serious bodily injury upon any law enforcement officer, probation or parole officer, or a state or local detention facility employee because of the exercise of that officer’s duties.

Additionally, the bill would make it a Class I felony to knowingly and willfully threaten to kill or inflict serious bodily injury on any other person as retaliation against any officer listed above because of the exercise of that officer’s duties. Currently, it is a Class 1 misdemeanor to willfully threaten to physically injure another person, or their child, sibling, spouse or dependent. **Introduced by Representatives Faircloth, McNeill, Greene and Miller.**

**HOUSE BILL 419, Disposition of Unclaimed or Seized Firearms**, would authorize a court to order a seized firearm that is no longer needed as evidence by the district attorney surrendered to the sheriff for destruction if the court determines it is in the best interests of public safety that the firearm not be returned to the defendant or to any other person with an ownership or possessory interest in the firearm.

Currently, a court may order a seized firearm surrendered to the sheriff for destruction if the firearm does not have a legible, unique identification number or if the firearm is unsafe because of wear, damage, age or modification.

However, the bill would prohibit the court from ordering the destruction of a seized antique firearm even if the judge finds it is in the best interests of public safety to do so. This would also apply to any antique firearm that does not have a legible, unique identification number or to an antique firearm that is unsafe because of wear, damage, age or modification.

Currently, an antique firearm is one that was manufactured on or before 1898, any replica of a firearm manufactured on or before 1898 if the replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder substitute and which cannot use fixed ammunition.

In addition, the bill would prohibit the head of a law enforcement agency, such as a sheriff, from destroying an unclaimed antique firearm that does not have a legible, unique identification number or an antique firearm that is unsafe because of wear, damage, age or modification. Currently, the head of a law enforcement agency can destroy unclaimed firearms meeting the above criteria without a court order, whether antique or not, provided certain public notice requirements are met.

The bill would authorize a seized or unclaimed firearm that has been ordered turned over to a law enforcement agency for official use or for sale or exchange by the agency to be consigned to a federally licensed firearms dealer for sale if the firearm cannot be used, sold, traded or exchanged

by the agency. The bill would require the consigned firearm to be sold at a reserve of \$150 and would allow the firearms dealer to retain a reasonable fee from the sale.

Finally, the bill would allow the seized or unclaimed firearm to be destroyed if the agency is unable to arrange consignment after a reasonable effort, the firearm is consigned with a federally licensed firearm dealer for six months without being sold, or if the firearm is consigned to a federally licensed firearm dealer and the dealer determines before six months has passed that the dealer is unable to sell the firearm. The bill would require the law enforcement agency that received the firearm to specify in their records each firearm that has been destroyed. **Introduced by Representatives Faircloth, McNeill, C. Smith and Greene.**

[HOUSE BILL 421](#), Charlotte Citizens Review Brd Subpoena Power, is identical to Senate Bill 193, which is summarized in the March 12, 2021 Weekly Legislative Report. The bill would allow the Charlotte Citizens Review Board to subpoena witnesses and compel the production of evidence during the Board's evidentiary fact-finding proceedings.

This bill would apply only to the City of Charlotte. Since the bill applies to fewer than 15 counties, it is considered a local bill and therefore does not require the signature of the Governor to become law. Rather, this local bill would become law when approved by the General Assembly. **Introduced by Representative Autry.**

[HOUSE BILL 422](#), 2<sup>nd</sup> Amendment Protection Act/Certain Counties, would make the following changes to our State's firearms laws that would only be applicable in Iredell, Lenoir, Beaufort, Craven, Pender, Columbus, Lincoln and Yadkin counties:

1. The bill would allow anyone with a concealed handgun permit to carry a concealed handgun on the premises of a place of religious worship when the place of worship is also located on the grounds of a nonpublic school only when the school is outside of its "school operating hours."

School operating hours would be defined as any time when the following occur: (1) the premises are being used for curricular or extracurricular activities; (2) the premises are being used for educational, instructional, or school-sponsored activities; or (3) the premises are being used for programs for minors by entities not affiliated with the religious institution.

Property owned by a local board of education or a county commission would not be considered a place of religious worship. In addition, the bill would not authorize the carrying of a concealed handgun on the property of an institution of higher education (such as a public college, university or community college) or a nonpublic postsecondary educational institution (such as a private college or university). Finally, the bill would prohibit the carrying of a concealed handgun on the premises of the school grounds, even with a valid concealed handgun permit, if the owner or person in legal control of the property has posted that firearms are prohibited on the premises.

Currently, a person may not carry a concealed handgun on any school property even if that property is a mixed-use property containing both a school and a place of religious worship, regardless of whether or not school activities are taking place.

2. The bill would require a sheriff to waive the requirement to take a firearms safety and training course upon the renewal of a concealed handgun permit if the person applies to renew the permit no more than 60 days after the permit expires. Currently, a sheriff has the discretion to waive the firearms safety and training course if the person applies for a renewal within 60 days after the expiration date of the concealed handgun permit.

In addition, if the permittee applies to renew a concealed handgun permit between 61 days and 180 days after expiration, the bill would also require the sheriff to waive the requirement of taking another full firearms safety and training course if the permittee completes a “refresher” course.

Note: The bill does not create a grace period for an expired concealed handgun permit. Therefore, a person would still be prohibited from carrying a concealed handgun once the permit has expired, and until such time as the sheriff renews the permit.

3. The bill would allow a civilian employee of a law enforcement agency with a concealed handgun permit to carry a concealed handgun in a law enforcement facility or correctional facility so long as the person has been designated in writing by the agency head to carry the handgun. The agency head would be allowed to rescind this authorization at any time.

Currently, civilian employees may not carry a concealed handgun inside a law enforcement facility or a correctional facility, even with a valid concealed handgun permit.

4. Finally, the bill would allow emergency medical personnel to carry a concealed handgun while on duty only if they are being deployed to provide tactical medical assistance for law enforcement during a Special Weapons and Tactics (SWAT) operation.

The bill would require the emergency medical personnel to first obtain specialized training before carrying a concealed handgun in this scenario, which would include training on firearms safety, use of firearms systems and use of deadly force.

This bill would apply only to the following counties: Iredell, Lenoir, Beaufort, Craven, Pender, Columbus, Lincoln and Yadkin. Since the bill applies to fewer than 15 counties, it is considered a local bill and therefore does not require the signature of the Governor to become law. Rather, this local bill would become law when approved by the General Assembly. **Introduced by Representative McNeely.**

[SENATE BILL 335](#), Increase Penalty/Disruption of Open Meeting, would expand the current offense of “disorderly conduct” to include engaging in conduct which disturbs the peace or order of an official meeting of a public body, such as a city council meeting or board of county commissioners meeting. A public body also includes the governing board of public hospitals and non-profit corporation owners of hospitals.

The bill would make a violation of this provision a Class 1 misdemeanor for a first offense, a Class I felony for a second offense, and a Class H felony for a third or subsequent offense.

The bill would also repeal G.S. 143-318.17, "Disruptions of official meetings," which currently makes it a Class 2 misdemeanor to willfully interrupt, disturb, or disrupt an official meeting. **Introduced by Senators Galey, Daniel and Lazzara, and assigned to the Committee on Rules and Operations of the Senate.**

[SENATE BILL 343](#), Revise Vehicle Sale Laws, would allow the temporary drivers license sent to individuals upon license renewal by mail to be used for vehicle registration. The bill would also allow these temporary drivers licenses to be used as valid identification when conducting business with a motor vehicle dealer licensed under Chapter 20, Article 12 of the General Statutes.

Currently, a temporary drivers license issued upon license renewal by mail may only be used for identification purposes when conducting business with the Division of Motor Vehicles (DMV) and is otherwise valid for driving purposes only. Finally, the bill would also require unique numbering on dealer license plates issued to new motor vehicles. **Introduced by Senators B. Jackson, Perry and Sawyer.**

[SENATE BILL 353](#), Modernization of Drug Court Program, is identical to [SENATE BILL 118](#), which is summarized in the February 19, 2021 Weekly Legislative Report. **Introduced by Senators Lazzara and Britt, and assigned to the Committee on Rules and Operations of the Senate.**

[SENATE BILL 355](#), Government Transparency Act of 2021, would make public record the reasons for each promotion, demotion, dismissal, transfer, suspension, separation, or other change in position classification of a State or local government employee. The bill would require all departments, agencies, institutions, commissions, bureaus of the State, local boards of education, community colleges, Local Management Entities – Managed Care Organizations (LME/MCOs), local governments, and water and sewer authorities to record a general description of the reasons for each of the personnel actions listed above.

Currently, only the date and type of dismissal, suspension, and demotion for disciplinary reasons of State and local government employees is public record. Moreover, the only reasoning for a personnel action that is currently public record is: (1) the recorded reason for each promotion the employee receives; and (2) a copy of the final decision setting forth the underlying acts or omissions that were the basis of a disciplinary dismissal, if the final decision was reduced to writing. **Introduced by Senators Sanderson, Rabon and Krawiec.**

## BILL STATUS

[HOUSE BILL 143](#), Swain County Sheriff Vacancies, which is summarized in the February 26, 2021 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 148](#), SBI Emergency Pen Register/Trap and Trace, which is summarized in the February 26, 2021 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 183](#), Juv. Court Counselors/Sensitivity Training, which is summarized in the February 26, 2021 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 238](#), Prohibit Possession of Skimming Device, which is summarized in the March 12, 2021 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[SENATE BILL 69](#), DMV Licensing Req/Auth. Vendor for Road Tests, which is summarized in the February 12, 2021 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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