

# North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

June 11, 2021

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During this 2021 long Session the House has filed 970 bills and the Senate has filed 725 bills. If bills are successful and pass both chambers, most will find their fate resting with Governor Roy Cooper. If the Governor signs the legislation, then the bill becomes law. So far this Session, Governor Cooper has signed 22 bills into law. At this same point in the 2019 long session, the Governor signed 16 bills into law.

The North Carolina Constitution does provide that certain types of bills, such as local bills and joint resolutions, etc. do not require the Governor's signature to become law. By way of example, "local" bills are bills that apply to fewer than 15 counties. If a bill meets the criteria of a local bill, the local bill becomes law automatically when approved by the General Assembly without any action - or inaction - by the Governor.

The Governor can also choose to veto any piece of legislation that finds its way to his desk. At the end of the first week in June 2019, Governor Cooper had only vetoed one bill. Thus far this Session, the Governor has done the same.

Lastly, while the General Assembly is in session, the Governor can allow the bill to sit on his desk for 10 days at which time it will become law without his signature. After adjournment, the Governor has 30 days to act before a bill becomes law without his signature. At this point in the 2019 session, Governor Cooper did not allow that to happen with any bill and the same holds true during the 2021 long Session thus far.

As the Session moves further along and more bills move from the General Assembly to Governor Cooper, the Governor will have more decisions to make on what bills he will allow to make it into the statute books in North Carolina.

The House and Senate adjourned on Thursday and will reconvene on Monday, June 14.

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## BILL STATUS

[HOUSE BILL 64](#), NCWorks Commission Membership Modification, which was filed on February 9, 2021, has been amended in the Senate to change the entire content of the bill and to rename the bill "Government Transparency Act of 2021." This bill, as amended, is substantially similar to [Senate Bill 355](#), which is summarized in the March 26, 2021 Weekly Legislative Report.

The bill, as amended, would make public record the reasons for each promotion, demotion,

dismissal, transfer, suspension, or separation 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.

The general descriptions of the personnel actions would not become public record until the later of: (1) the expiration of the time to file an administrative appeal; or (2) the entry of a final decision in that administrative appeals process. The bill requires every employer to which it applies to adopt personnel policies to effectuate these provisions by November 30, 2021, and those policies must allow all employees to challenge the wording of the general descriptions.

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.

[HOUSE BILL 203](#), Extend Deadline for Police Telecommunicators, which is summarized in the March 5, 2021 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

If enacted into law, the bill would extend the deadline to July 1, 2022 for anyone employed by a municipal police department as a telecommunicator to become certified as a telecommunicator by the North Carolina Sheriffs' Education and Training Standards Commission.

Currently, telecommunicators employed by a municipal police department must obtain their certification by July 1, 2021.

[HOUSE BILL 743](#), Remove ID Mark/Increase Punishment, which is summarized in the April 30, 2021 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

[SENATE BILL 43](#), Protect Religious Meeting Places, which is summarized in the June 4, 2021 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

[SENATE BILL 255](#), 2021 AOC Legislative Changes.-AB, which is summarized in the June 4, 2021 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

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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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