

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

October 1, 2021

The legislative experience this week regarding the State budget bill [Senate Bill 105] has been different than any previous legislative session that anyone can remember. History is being made!

Over the last several weeks the top House and Senate budget negotiators have worked diligently to resolve their differences and agree upon a version of the State budget bill. That process was completed earlier this week when Senate President Pro Tempore Phil Berger and Speaker of the House Tim Moore announced that an agreement on the budget has been reached.

In an unprecedented procedure, legislative leaders have agreed to discuss their agreed-upon budget bill with Governor Roy Cooper before having the full House and the full Senate vote on it. The goal is for legislative leaders and the Governor to hopefully agree on a final version of the budget bill that can then be presented to the full House and the full Senate for a vote.

Under legislative rules, when the proposed budget bill is presented for a vote by the full House and full Senate, no amendments to the bill will be allowed. Legislators can either vote for the bill or against the bill in its entirety.

If legislative leaders and the Governor cannot agree on a version of the budget bill, the General Assembly will “go back to the drawing board.” Then the legislature can (1) continue negotiating with the Governor; (2) come up with another version of the budget bill for the Governor to consider; (3) decide to continue operating the State under the 2017 State Budget which is currently in effect; (4) send the Governor mini-budget bills that each relate to narrow and specific areas of state government operations; or (5) pass the budget bill with or without a veto proof majority and attempt a veto override if it is vetoed by the Governor.

How all of this will ultimately play out is anyone’s guess. As the process unfolds, we will keep you updated.

The House and Senate adjourned on Thursday and will reconvene on Monday, October 4th.

BILL STATUS

[SENATE BILL 183](#), Begin Modernizing Ignition Interlock Laws, which is summarized in the March 12, 2021 Weekly Legislative Report, has been amended in the House. The bill, as amended, would require a judge, in issuing a limited driving privilege to a person whose license was revoked

for a conviction of driving while impaired (DWI) and whose BAC at the time of the offense was 0.15 or more, to include a requirement that the vehicle(s) designated by the person be equipped with an ignition interlock system set to prohibit driving with an alcohol concentration of greater than 0.02.

Currently, the ignition interlock system must be set to prohibit driving if the alcohol concentration is greater than 0.00 for this category of limited driving privilege. If enacted into law, the bill would lessen the restrictions on the above category of DWI offenders by allowing this type of DWI offender to drive a motor vehicle on a public road or highway with up to a 0.02 BAC.

Additionally, the bill would remove the current 45-day waiting period following final conviction before an ignition interlock device may be installed in the designated vehicle and the effective start date of limited driving privileges issued to individuals convicted of an impaired driving offense with an alcohol concentration of 0.15 or higher at the time of the offense.

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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