

# North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



## Weekly Legislative Report

October 8, 2021

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After weeks of budget negotiations at the House and Senate level, Speaker Tim Moore and President Pro Tempore Phil Berger indicated last week they opened budget negotiations with Governor Roy Cooper prior to putting the budget bill on the floor for a vote. Those negotiations appear to be continuing with no vote on the budget bill this week.

In addition to the budget, State agency leaders and lobbyists are no doubt monitoring other bills they consider priorities and are anxiously waiting to see if they will receive any consideration from the legislature this session. Only time will tell which of those bills will get further attention before the legislature adjourns for the year.

Legislative leaders have also been working on the other high-profile item this session, redistricting. After an intense couple of weeks holding redistricting meetings for the public across the State, members began meetings in Raleigh this week to initiate the process of drawing the legislative district maps which will be used in the next election.

Because of the increase in the State's population in the last decade, North Carolina gained another congressional district. Among making decisions about other district boundaries, leaders will have to determine where that new district will be placed.

The House and Senate adjourned on Thursday and will reconvene on Monday, October 11<sup>th</sup>.

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## BILL STATUS

[HOUSE BILL 761](#), Police Vehicle and Equipment Protection Act, which is summarized in the May 7, 2021 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

The bill has been amended in the Senate to require an individual petitioning to have one or more non-violent misdemeanors expunged to submit an affidavit affirming that they have not been convicted of any other felony or misdemeanor, other than a traffic violation, within the applicable 5-year or 7-year waiting period.

The bill, as amended, would also require an individual petitioning to have one or more non-violent felonies expunged to submit an affidavit affirming that they have not been convicted of any misdemeanor within 5 years preceding the petition or any felony within the applicable 10-year or

20-year waiting period.

Currently, Session Law 2021-118, Expand Expunction Eligibility, requires a petitioner seeking to expunge non-violent felonies to affirm through affidavit that they have not been convicted of any misdemeanor in the applicable 10-year or 20-year waiting period even though the law allows expungement as long as the petitioner was not convicted of a misdemeanor within 5 years preceding the petition. This amendment is a technical correction to eliminate that inconsistency.

SENATE BILL 233, Modify Fox/Coyote Taking for Certain Counties, has been amended in the House to no longer add Harnett and Onslow counties to the list of counties that have an open season with no bag limit for the taking of foxes with weapons and for the taking of foxes and coyotes by trapping during the trapping season set by the North Carolina Wildlife Resources Commission.

The bill, as amended, would also add Guilford and Randolph counties to the list of counties to which these restrictions apply. Currently, the statute applies to Cabarrus, Caldwell, Cleveland, Cumberland, Gaston, McDowell, Mitchell, Montgomery, Rowan, Rutherford, Stokes, and Yancey counties.

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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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