

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

July 8, 2022

Since 2022 is an election year, many legislators will spend the time between legislative sessions in their home districts touting their accomplishments, or in the alternative, their displeasure with the legislative process. There are 170 members of the General Assembly and some of them will not be returning to Raleigh after the November election due to retirement, loss in a primary election or pursuit of higher office or a different profession. Additionally, some House members may return as Senators and at least one Senator may return as a House member. Next year will be interesting as many new faces find their way onto Jones Street.

This Weekly Legislative Report will likely be our last edition for this year. However, since the General Assembly will be holding a short three-day session once a month between August and December, there is a possibility that additional bills of interest to criminal justice professionals may become law. If that is the case, we will certainly report on them in a Special Legislative Report. Otherwise, publication of the NCSA Weekly Legislative Report will resume every Friday once the legislature convenes the 2023 long session next year.

BILL STATUS

[HOUSE BILL 211](#), Social District/Common Area Clarifications, which is summarized in the July 1, 2022 Weekly Legislative Report, has been signed into law by Governor Roy Cooper with an effective date of July 7, 2022 for most provisions.

[HOUSE BILL 252](#), Bail Bond/Bondsmen Provisions/Other Changes, has been amended in the Senate and has been approved by the General Assembly and sent to Governor Roy Cooper for his signature. The bill, as amended, would expand the State's authority to "adjudicate" juvenile cases when a juvenile violates federal law within the boundaries of any military installation (such as a military base) in North Carolina so long as (1) the United States Attorney or United States District Court waives jurisdiction; and (2) the violation of federal law is also a crime or infraction under North Carolina State law. Note: "adjudicate" is a legal term used in juvenile court instead of the term "convicted" since juveniles are not typically prosecuted as adults in North Carolina.

Currently, the State cannot adjudicate a juvenile as delinquent or vulnerable for offenses they commit on certain military installations. This bill would give the State the ability to investigate and adjudicate an offense committed on any military installation in North Carolina if the above criteria are met.

The bill, as amended, would also exclude from Schedule VI of the North Carolina Controlled Substances Act any tetrahydrocannabinols (THC) found in a product with a delta-9 THC

concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis. Currently, THC found in hemp and hemp products, which cannot by definition contain more than three-tenths of one percent (0.3%) of delta-9 THC on a dry weight basis, are excluded from Schedule VI of the North Carolina Controlled Substances Act.

[HOUSE BILL 607](#), [Various Court Changes](#), which is summarized in the June 3, 2022 Weekly Legislative Report, has been signed into law by Governor Roy Cooper with various effective dates set out in the bill.

[HOUSE BILL 615](#), [Jordan's Law](#), which is summarized in the June 10, 2022 Weekly Legislative Report, has been signed into law by Governor Roy Cooper with an effective date of December 1, 2022.

[HOUSE BILL 674](#), [Require DNA Various Convict'ns/Other Matters](#), which is summarized in the June 24, 2022 Weekly Legislative Report, has been signed into law by Governor Roy Cooper with various effective dates set out in the bill.

[HOUSE BILL 768](#), [2022 ABC Omnibus](#), which is summarized in the July 1, 2022 Weekly Legislative Report, has been signed into law by Governor Roy Cooper with an effective date of July 7, 2022 for most provisions.

[HOUSE BILL 911](#), [Regulatory Reform Act of 2022](#), which is summarized in the June 3, 2022 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature. The bill, as amended, would allow an applicant for a concealed carry permit to complete a firearms safety and training course certified or sponsored by the United States Concealed Carry Association (USCCA) or taught by instructors certified by the USCCA.

Currently, a concealed carry applicant must complete a firearms safety and training course certified or sponsored by the North Carolina Criminal Justice Education and Training Standards Commission (Commission), the National Rifle Association (NRA), or a law enforcement agency, college, private or public institution or organization, or firearms training school with instruction by instructors certified by either the Commission or the NRA.

[SENATE BILL 201](#), [Var. Motor Veh. and Transport. Law Changes](#), which is summarized in the May 27, 2022 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

[SENATE BILL 339](#), [Driving Local Business](#), has been amended in the House to delete and replace the entire contents of the bill and rename the bill "2022 WRC Amendments." The bill has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

The bill, as amended, would make it a misdemeanor for any person to violate any emergency powers exercised or emergency rules enacted by the Executive Director of the North Carolina Wildlife Resources Commission (Commission) when the Commission determines that such powers are necessary to respond to a wildlife disease that threatens irreparable injury to wildlife or the public.

The bill, as amended, would make it a Class 3 misdemeanor for a first conviction and a Class 2 misdemeanor for a second or subsequent conviction of violating emergency rules within three years of the previous conviction. Currently, there is no criminal penalty for violating an emergency rule and the penalty for violating the vast majority of Commission rules is a fine of \$25.00.

[SENATE BILL 424](#), Private Protective Svcs. Licensing Mods., which is summarized in the April 2, 2021 Weekly Legislative Report, has been approved by the General Assembly and sent to Governor Roy Cooper for his signature.

[SENATE BILL 470](#), ABC Technical and Other Changes, has been signed into law by Governor Roy Cooper with an effective date of July 7, 2022 for most provisions. The bill redefines “Bar” to mean an “establishment that is primarily engaged in the business of selling alcoholic beverages for consumption on the premises.” Therefore, an establishment could serve prepared food and still be classified as a “Bar” regardless of the amount of prepared food the establishment sells.

This is a change to the provisions in [House Bill 768](#), which is summarized in the July 1, 2022 Weekly Legislative Report, that did not allow an establishment to qualify as a “Bar” if the establishment served any amount of prepared food.

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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