

# North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

April 28, 2023

Legislators and lobbyists have certainly gotten their steps in this week walking and running back and forth between committee meetings in one or both legislative buildings. With the crossover deadline looming next Thursday, work happened at a fast and furious pace on Jones and Salisbury Streets this week.

The Senate moved a large number of bills this week, all while Senate appropriation chairs were meeting to iron out details of the Senate version of the budget. The House held a rare voting session on Tuesday of this week, followed by additional voting sessions on Wednesday and Thursday as well.

Speaker Tim Moore announced on Thursday that to assist committees with meeting the crossover deadline of Thursday, May 4, committee chairpersons could schedule committee meetings for Monday of next week. This is a rare occurrence because North Carolina's legislature is a "part-time" legislature, meaning many legislators are employed in another capacity in addition to their role as a legislator.

Consequently, the business of the legislature is usually limited to Tuesday, Wednesday, and Thursday of each week to allow legislators to attend to their regular jobs on Monday and Friday. However, it appears legislators will be in Raleigh most of next week and will have to catch up on things back home at a later date.

The House and Senate adjourned on Thursday and will reconvene on Monday, May 1, 2023.

---

## BILLS OF INTEREST

[HOUSE BILL 838](#), [Support for Fayetteville Police Department](#), would appropriate to the North Carolina Department of Public Safety (DPS) \$3 million in nonrecurring funds for the 2023-2024 fiscal year to be allocated as a grant to the Fayetteville Police Department to upgrade and expand its training facilities. The bill would also appropriate to DPS \$1 million in nonrecurring funds for the 2023-2024 fiscal year to be allocated as a grant to the Fayetteville Police Department to be used to create and operate a public safety and mental health co-responder unit pilot program.

Finally, the bill would require the Fayetteville Police Department to report to the Joint Legislative Oversight Committee on Justice and Public Safety regarding the use of the appropriated funds and the progress of the training facilities and the co-responder unit pilot program. **Introduced by**

**Representatives Charles Smith, Lucas, Wheatley and F. Jackson, and assigned to the House Committee on Appropriations.**

[HOUSE BILL 843](#), Community Violence Intervention Funding, would appropriate to the North Carolina Department of Public Safety \$10 million in nonrecurring funds for each fiscal year of the 2023-2025 fiscal biennium to be used to award competitive grants to local governments, law enforcement agencies, and nonprofit organizations to fund the development of community violence intervention programs in the communities served by the grant recipients. **Introduced by Representatives Ball, Morey, T. Brown and Quick, and assigned to the House Committee on Appropriations.**

[HOUSE BILL 867](#), Crisis Intervention Training LEO Grants, would appropriate to the North Carolina Department of Public Safety \$5 million in recurring funds for the 2023-2024 fiscal year to be used to award grants to towns, cities, and counties to fund crisis intervention training for certain positions specified in the bill, including law enforcement officer positions. **Introduced by Representatives Cunningham, Pyrtle, Miller and Carson Smith, and assigned to the House Committee on Appropriations.**

[HOUSE BILL 870](#), ABC Law Omnibus Bill, would make various changes to the laws governing alcoholic beverages in the State. Of interest to the criminal justice community, the bill would:

1. Authorize the North Carolina Alcoholic Beverage Control (ABC) Commission to issue a “Bring Your Own Beverage Permit” (BYOB permit) to certain establishments set forth in detail in the bill. The permit would allow the patrons of those permittees to bring malt beverages and unfortified wine onto the premises of those establishments and to consume those beverages if the permittee allows them to do so.
2. Make it unlawful for an individual patron of certain establishments detailed in the bill to bring malt beverages and unfortified wine onto the premises of those establishments for consumption unless: (1) the establishment holds an on-premises malt beverages permit, an on-premises unfortified wine permit, a mixed beverages permit, or a BYOB permit; and (2) gives permission to its patrons to bring those beverages on-premises.
3. Expand the number of ABC stores from which mixed beverages permittees may purchase spirituous liquor.
4. Allow restaurants and bars holding mixed beverages permits to sell private label liquor, as set forth in the bill.
5. Eliminate physical mixed beverages tax stamps, as detailed in the bill.
6. Allow on-premises and mixed beverages ABC permit holders to conduct certain sales and advertise on outside signage, as specified in the bill.
7. Direct the ABC Commission to implement a system allowing persons to conduct business with the Commission electronically.

**Introduced by Representatives Pickett, Saine, T. Brown and Willingham, and assigned to the House Committee on Alcoholic Beverage Control.**

[HOUSE BILL 874](#), Fund Pilot to Contract for IVC Transportation, would appropriate to the North Carolina Department of Public Safety \$150,000 in nonrecurring funds for each fiscal year of the 2023-2025 fiscal biennium to be allocated as grants to the Cabarrus County Sheriff's Office to be used to pilot the use of contract transportation services related to involuntary commitment transportation. **Introduced by Representatives Crutchfield and K. Baker, and assigned to the House Committee on Judiciary 2.**

[HOUSE BILL 886](#), Vehicle Headlight Brightness, would impose a fine on a person operating a motor vehicle with a headlamp brightness that exceeds federal regulations and would increase the fine for a person failing to dim their headlights upon meeting another vehicle on the highway from \$10 to \$25. **Introduced by Representatives John, Autry, Prather and Logan, and assigned to the House Committee on Appropriations.**

[HOUSE BILL 887](#), Enhance Local Response/Mental Health Crises, would appropriate to the North Carolina Department of Public Safety \$2 million in nonrecurring funds for the 2023-2024 fiscal year to be distributed as grants to municipal police departments or county sheriffs' offices for specific purposes set forth in the bill aimed at enhancing responses to mental or behavioral health crises, including establishing nonpolice units and co-responder response models and bolstering existing mental health services within law enforcement agencies. **Introduced by Representatives Autry, T. Brown and Ball, and assigned to the Committee on Rules, Calendar, and Operations of the House.**

[HOUSE BILL 888](#), Remove Barriers to Employment from Court Debt, would prohibit the North Carolina Division of Motor Vehicles from revoking the drivers license of a person charged with or convicted of an infraction, misdemeanor, or felony if the revocation is solely for: (1) the person failing to appear, after being notified, when the case was called for trial or hearing; and/or (2) the person failing to pay a fine, penalty, or court costs ordered by the court. **Introduced by Representatives Saine, Clemmons, Chesser and John, and assigned to the House Committee on Transportation.**

[HOUSE BILL 892](#), Suicide Prevention, would require the North Carolina State Bureau of Investigation to establish the North Carolina Voluntary Do Not Sell Firearms List to prohibit the possession, transportation, and sale of firearms to any person who voluntarily registers himself/herself as detailed in the bill. **Introduced by Representatives Harrison, Morey and Autry, and assigned to the Committee on Rules, Calendar, and Operations of the House.**

## BILL STATUS

[HOUSE BILL 198](#), DOT Legislative Changes.-AB, which is summarized in the February 24, 2023 Weekly Legislative Report, has been amended in the House to make it a misdemeanor for any person to obtain, access, preserve, or disclose data obtained from an automatic license plate reader system except to a criminal justice officer at a State or local law enforcement agency or similar

official at a federal law enforcement agency for a legitimate law enforcement purpose and pursuant to a written request from the requesting agency.

[HOUSE BILL 309](#), [Inspection of Low-Speed Vehicles](#), which is summarized in the March 10, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration. The bill has been amended in the House to allow the inspection of low-speed vehicles to be performed at a location other than an inspection station if the inspection is performed by a station with a safety inspection license issued by the North Carolina Department of Transportation, Division of Motor Vehicles (DMV), and by a mechanic who is employed by the station and who has a safety inspection mechanic license issued by DMV.

[HOUSE BILL 415](#), [Stop Addiction Fraud Ethics Act of 2023](#), which is summarized in the March 24, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 470](#), [Greensboro/Winston-Salem Civil Service Board](#), which is summarized in the March 24, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 495](#), [Aggregation of Multiple Financial Crimes](#), which is summarized in the March 31, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 591](#), [Restitution/Sexual Exploitation of Minor](#), which is summarized in the April 14, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 605](#), [School Threat Assessment Teams](#), which is summarized in the April 14, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 633](#), [Shine Like Hailey Parade Safety Act](#), which is summarized in the April 21, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 661](#), [Emergency Services Peer Counseling Privilege](#), which is summarized in the April 21, 2023 Weekly Legislative Report, has been amended in the House to expand the scope of peer support counselors to include corrections officers and employees.

[HOUSE BILL 696](#), [Violent Offense/No Contact Order](#), which is summarized in the April 21, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration. The bill has been amended in the House to expand the scope of a permanent no contact order to also prohibit a defendant convicted of a violent offense from contacting the victim's immediate family.

[HOUSE BILL 748](#), [Felony Child Abuse/Expand Scope](#), which is summarized in the April 21, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

The bill has been amended in the House to expand the offense of felony child abuse to include a parent or other person providing care to or supervision of a child less than 16 years of age who intentionally and routinely inflicts physical injury upon the child **and** deprives the child of necessary food, clothing, shelter, or proper physical care for the purpose of causing fear or emotional injury, or for the purpose of obtaining sexual gratification.

[HOUSE BILL 807, Modify Firearms Retrieval Process in DV Cases](#), which is summarized in the April 21, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration. The bill has been amended in the House to allow a defendant in an action for a domestic violence protective order (DVPO) to retrieve any weapons they surrendered to the sheriff without the defendant having to file a motion for the return of their surrendered weapons in court if the ex parte or emergency order applying to them expires or if the court declines to issue a full one-year protective order.

Prior to releasing any firearms, the sheriff would be required to verify, through a criminal history check conducted through the National Instant Criminal Background Check System (NICS), that the defendant is not prohibited by law from possessing a firearm.

The bill, as amended, would also allow a third-party owner of any firearms surrendered under a DVPO to file a motion for the return of those firearms in court at any time after their seizure by the sheriff if the sheriff has not yet disposed of those firearms. The bill, as amended, would also prohibit a sheriff having custody of any weapons surrendered under a DVPO from disposing of those weapons at any time prior to 90 days after the expiration of the DVPO or final disposition of any pending criminal charges committed against the person protected by the DVPO.

Finally, the bill, as amended, would provide that the contents of any “911” or other emergency telephone call where the caller is less than 18 years of age is not a public record. Currently, the contents of “911” and other emergency telephone calls made by a person of any age are public record, except for the portions of the call that may identify the caller, victim, or witness.

[SENATE BILL 171, Department of Public Safety Agency Bill.-AB](#), which is summarized in the March 3, 2023 Weekly Legislative Report, has passed the Senate and has been sent to the House for consideration.

[SENATE BILL 203, Authorize Skateboard Restrictions/Polk County](#), which is summarized in the March 10, 2023 Weekly Legislative Report, has passed the Senate and has been sent to the House for consideration.

[SENATE BILL 326, Firefighter Cancer Ins/Alt Crim Rec Check](#), which is summarized in the April 21, 2023 Weekly Legislative Report, has passed the Senate and has been sent to the House for consideration.

[SENATE BILL 339, Modify Lmtd Driving Privilege/Criminal Laws](#), which is summarized in the March 24, 2023 Weekly Legislative Report, has passed the Senate and has been sent to the House for consideration.

[SENATE BILL 360](#), Modify Victim and Sex Offense Registry Laws, which is summarized in the March 24, 2023 Weekly Legislative Report, has passed the Senate and has been sent to the House for consideration.

[SENATE BILL 409](#), Increase Punishment for Cargo Theft, which is summarized in the March 31, 2023 Weekly Legislative Report, has passed the Senate and has been sent to the House for consideration.

[SENATE BILL 582](#), North Carolina Farm Act of 2023, which is summarized in the April 7, 2023 Weekly Legislative Report, has passed the Senate and has been sent to the House for consideration.

[SENATE BILL 626](#), Modify Laws Relating to Human Trafficking, which is summarized in the April 14, 2023 Weekly Legislative Report, has passed the Senate and has been sent to the House for consideration.

[SENATE BILL 640](#), Various Criminal Procedure Changes, which is summarized in the April 14, 2023 Weekly Legislative Report, has been amended in the Senate to require all interviews of in-custody informants to be recorded using a visual recording device that provides an authentic, accurate, unaltered, and uninterrupted record of the interview that clearly shows both the interviewer and the in-custody informant.

The bill, as amended, would define “in-custody informant” as a person, other than a co-defendant, accomplice, or co-conspirator, whose testimony is based on statements allegedly made by the defendant while both the defendant and the informant were held within a city or county jail or a State correctional institution or otherwise confined.

---

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.

*Proudly Serving the Sheriffs and Citizens of North Carolina Since 1922*

[www.ncsheriffs.org](http://www.ncsheriffs.org)

---