

# North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

June 30, 2023

Jones and Salisbury Streets will be quiet for at least the next week as both the House and the Senate will be taking a break from committee meetings and voting sessions for the Independence Day holiday. It is fair to say that everyone with an interest in this year's legislative process hopes legislators will enjoy a nice week away from the two-block radius of the General Assembly complex and come back with fresh eyes and sharp pencils to hammer out the final details of this year's budget.

At the beginning of Session, legislative business moved so quickly that everyone was sure that it would be wrapped up by July 1, even leadership. However, as June wound down with no budget agreement, a stalemate settled in and slowed everything down. Legislators and lobbyists alike were happy to get any bills across the finish line.

The House announced Wednesday that the earliest they will hold a voting session again will be Tuesday, July 11. When the Senate adjourned on Thursday, they announced they would decide at a later date when to return to Raleigh for voting sessions. This announcement seemed to give some credence to rumors that the Senate is waiting for the House to move more Senate bills before taking up any more House business this Session.

As we await the enactment of this year's budget, which appears to be several weeks away, we could be tempted to remember a quotation from a very old court case that said:

“No man's life, liberty or property are safe while the legislature is in session.”

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As tempting as it is to repeat this court case quotation, the week of Independence Day is a good time for all of us to remember how fortunate we are to live in a country where citizens of our State can govern our affairs through a General Assembly. While observers of the General Assembly might agree that it is not an efficient process, we should all agree that the form of government that we enjoy in the United States of America is undoubtedly the best form of government in the entire world.

So, we should all be thankful for our country's ancestors who took historic action 247 years ago on Independence Day which resulted in our form of government being the envy of people all around the world.

The House and Senate adjourned on Thursday and will reconvene after the Independence Day holiday.

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### **BILLS OF INTEREST**

[SENATE BILL 754](#), General Assembly Appointments, has passed the Senate and has been sent to the House for consideration.

The current edition of the bill contains numerous appointments to State boards and commissions to be made as recommended by the President Pro Tempore of the Senate. Now that the bill is in the House, it will be amended to add numerous appointments to State boards and commissions upon the recommendation of the Speaker of the House. Then, sometime before the end of this year's General Assembly session, the bill will be approved by the legislature.

Bills appointing persons to State boards and commissions do not require the signature of the Governor and become law when approved by the General Assembly.

Those appointments in the current edition of the bill of interest to the criminal justice community are:

The President Pro Tempore of the Senate would appoint the following individuals:

1. Sheriff Pete Herron of Montgomery County would be appointed to the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services for a term expiring June 30, 2026.
2. Richard A. Epley of Burke County, Ronald L. Parrish of Alamance County, Michael D. Slagle of Mitchell County, and Jamie L. Bullard of Columbus County would be appointed to the North Carolina Criminal Justice Education and Training Standards Commission for terms expiring June 30, 2025.
3. Avis Watkins-Smith of Harnett County, Cathy Cloninger of Gaston County, Carianne E. Fisher of Durham County, Kathleen A. Lockwood of Durham County, and TeAndra M. Miller of Wake County would be appointed to the North Carolina Domestic Violence Commission for terms expiring August 31, 2025.
4. William Marc Nichols of Johnston County would be appointed to the North Carolina Sheriffs' Education and Training Standards Commission for a term expiring June 30, 2025.
5. Benjamin J. Curtis of Rockingham County and Pamela T. Thompson of Alamance County would be appointed to the Governor's Crime Commission for terms expiring February 28, 2025.

6. Ellen N. Thomas of Mecklenburg County would be appointed to the North Carolina Criminal Justice Information Network Governing Board for a term expiring June 30, 2025.

**Introduced by Senator Rabon and assigned to the Committee on Rules, Calendar, and Operations of the House.**

### BILL STATUS

[HOUSE BILL 34](#), Protect Those Who Serve and Protect Act, which is summarized in the February 3, 2023 Weekly Legislative Report, has been approved by the General Assembly and has been sent to Governor Roy Cooper for his signature.

[HOUSE BILL 125](#), NC Health & Human Services Workforce Act, which is summarized in the February 17, 2023 Weekly Legislative Report, has passed the Senate with amendment and has been sent to the House for consideration of the Senate amendment.

[HOUSE BILL 132](#), Govt. Agencies/Delivery of Permits, which is summarized in the February 17, 2023 Weekly Legislative Report, has passed the House and has been sent to the Senate for consideration.

[HOUSE BILL 140](#), Civilian Traffic Investigators, which is summarized in the February 17, 2023 Weekly Legislative Report, has been signed into law by Governor Roy Cooper with an effective date of June 23, 2023.

[HOUSE BILL 168](#), DNCR Agency Bill.-AB, which is summarized in the February 24, 2023 Weekly Legislative Report, has been approved by the General Assembly and has been sent to Governor Roy Cooper for his signature.

[HOUSE BILL 190](#), Dept. of Health and Human Services Revisions.-AB, which is summarized in the February 24, 2023 Weekly Legislative Report, has been approved by the General Assembly and has been sent to Governor Roy Cooper for his signature.

[HOUSE BILL 193](#), AOC Ct Changes/Amd Expunction, which is summarized in the February 24, 2023 Weekly Legislative Report, has passed the Senate with amendment and has been sent to the House for consideration of the Senate amendment.

[HOUSE BILL 378](#), Firefighters Criminal History Record Checks, which is summarized in the March 17, 2023 Weekly Legislative Report, has passed the Senate with amendment and has been sent back to the House for consideration of the Senate amendment.

[HOUSE BILL 387](#), Medal of Valor Award for First Responders, which is summarized in the March 17, 2023 Weekly Legislative Report, has been approved by the General Assembly and has been sent to Governor Roy Cooper for his signature.

[HOUSE BILL 563](#), Regulate Cannabinoid Products & Kratom, which is summarized in the April 7, 2023 Weekly Legislative Report, has been amended in the House to define a “hemp-derived

psychoactive cannabinoid” as a synthetic cannabinoid derived from hemp, including delta-7 tetrahydrocannabinol (THC), delta-8 THC, and delta-10 THC.

The amendment would allow for the sale of hemp-derived consumable products that contain hemp-derived psychoactive cannabinoids, including delta-7, delta-8, and delta-10 THC, in concentrations above the three-tenths of one percent (0.3%) dry weight basis cap that is currently the maximum delta-9 THC concentration allowed under federal law and State law for hemp products.

Finally, the amendment would also establish a regulatory scheme for the sale, manufacture, and distribution of kratom products, which is substantially similar to the regulatory scheme for hemp-derived products in the original bill. This would include providing Alcohol Law Enforcement (ALE) agents with subject matter jurisdiction to enforce the provisions of the amended bill relating to the manufacture, distribution, and sale of kratom products.

[HOUSE BILL 605, School Threat Assessment Teams](#), which is summarized in the April 14, 2023 Weekly Legislative Report, has been approved by the General Assembly and has been sent to Governor Roy Cooper for his signature.

[HOUSE BILL 611, Modify Training/Standards Commissions Power](#), which is summarized in the June 16, 2023 Weekly Legislative Report, has been signed into law by Governor Roy Cooper with an effective date of June 23, 2023.

[HOUSE BILL 748, Felony Child Abuse/Expand Scope](#), which is summarized in the April 21, 2023 Weekly Legislative Report, has been amended in the Senate and renamed “Child Abuse and Other Criminal Law Changes.” The bill has been amended to include provisions substantially similar to [Senate Bill 360, Modify Victim and Sex Offense Registry Laws](#), which is summarized in the March 24, 2023 Weekly Legislative Report.

The bill, as amended, would also create a new criminal offense of “exposing a child to a controlled substance,” which would make it a felony to knowingly, recklessly, or intentionally cause or permit a child to be exposed to a controlled substance.

[HOUSE BILL 790, Innocence Inquiry Commission Provisions](#), which is summarized in the June 23, 2023 Weekly Legislative Report, has been approved by the General Assembly and has been sent to Governor Roy Cooper for his signature.

[HOUSE BILL 813, The Pretrial Integrity Act](#), which is summarized in the April 21, 2023 Weekly Legislative Report, has been approved by the General Assembly and has been sent to Governor Roy Cooper for his signature.

[SENATE BILL 91, Amend Rule 4/Acceptance of Service](#), which is summarized in the February 17, 2023 Weekly Legislative Report, has been approved by the General Assembly and has been sent to Governor Roy Cooper for his signature. The bill has been amended to include a provision that would no longer prohibit a brewery, winery, or distillery from being considered a “bar” under our State’s alcoholic beverage control laws.

[SENATE BILL 171](#), Department of Public Safety Agency Bill.-AB, which is summarized in the March 3, 2023 Weekly Legislative Report, has been approved by the General Assembly and has been sent to Governor Roy Cooper for his signature.

[SENATE BILL 345](#), Alarm Systems Licensing/Machinery Act Changes, 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 579](#), Prevent Harm to Children, which is summarized in the April 7, 2023 Weekly Legislative Report, has been amended in the House to include a provision that is substantially similar to [House Bill 673](#), Clarify Regulations on Adult Entertainment, which is summarized in the April 21, 2023 Weekly Legislative Report.

The amendment would create the new criminal offense of “sexual contact with a minor,” which would make it a misdemeanor for a person who is 18 or older to engage in sexual contact with a minor, unless the conduct is covered by another law which carries a greater punishment.

The amendment would define “sexual contact” as the intentional touching: (1) of a person’s intimate parts or the intentional touching of the clothing covering the person’s intimate parts; or (2) of another person with a person’s own intimate parts, whether or not those intimate parts are clothed, if the contact can be reasonably construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or done in some sexual manner.

[SENATE BILL 582](#), North Carolina Farm Act of 2023, which is summarized in the April 7, 2023 Weekly Legislative Report, has been enacted into law by the General Assembly with various effective dates set out in the bill. The bill was vetoed by Governor Roy Cooper on June 23, 2023. On June 27, 2023, the Governor’s veto was overridden by the General Assembly.

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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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