

# North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

October 25, 2024

Members of the General Assembly were in Raleigh briefly on Thursday to address a second Hurricane Helene relief bill. [Senate Bill 743](#), The Disaster Recovery Act of 2024 – Part II, addresses the needs of the State and affected counties related to education, health and human services, agriculture and natural resources, and justice and public safety. Provisions of the bill related to criminal justice are explained in more detail below.

Legislators are expected to return once again in November for a 4-day session where the scope of what they will consider is expected to be much broader. The November Session will be held a few weeks after the general election on November 5<sup>th</sup>. Therefore, legislative leadership is likely to know whether they have retained a veto proof majority before choosing what issues to focus on before the new General Assembly members are sworn-in this January.

The House and Senate adjourned on Thursday and will reconvene on Tuesday, November 19, 2024.

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## BILL STATUS

[SENATE BILL 743](#), The Disaster Recovery Act of 2024 – Part II, has been approved by the General Assembly and has been sent to Governor Roy Cooper for his signature. The bill would make various changes to the law and would appropriate funds to support the ongoing Hurricane Helene relief efforts in the western part of the State, as detailed in the bill. Of interest to the criminal justice community, the bill would:

1. Extend the term of office for the person elected to the office of Avery County Coroner in 2020 until July 1, 2025 and provide that a person shall be appointed to serve in this office if a vacancy occurs. Currently, the term of office for the Avery County Coroner is set to expire on December 2, 2024.
2. Provide that hospitals with emergency departments in the following affected counties are not required to comply with the Hospital Violence Protection Act until December 1, 2024: Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Catawba, Clay, Cleveland, Gaston, Haywood, Henderson, Jackson, Lincoln, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Transylvania, Watauga, Wilkes, and Yancey.

The Hospital Violence Protection Act was enacted into law in 2023 and requires hospitals

with emergency departments to conduct a security risk assessment and to develop and implement a security plan ensuring that at least one law enforcement officer is present at all times, unless certain conditions are met. The Act became effective October 1, 2024 and hospitals are required to comply with its requirements as of that date unless they have submitted a summary report of their security risk assessment to the North Carolina Department of Health and Human Services by October 1, 2024.

3. Allow any person to hire or contract with any security firm or corporation licensed, registered, or certified in another state to provide armored car services, security guard and patrol services, or guard dog services in the counties listed above in paragraph 2. The bill would prohibit these services from being provided on State, local government, public school unit, The University of North Carolina System, or community college property.

The bill would also require any security firm or corporation providing the above listed services to first furnish to the North Carolina Private Protective Service Board: (1) a liability insurance policy that meets North Carolina standards; (2) an active license in good standing from the organization's registered state; and (3) a firearms registration permit, or its equivalent, for any individual carrying a firearm while performing the above-listed services.

4. Allow any "State agency," defined in the bill to include any "commission" (ex. the North Carolina Sheriffs' Education and Training Standards Commission, or the North Carolina Criminal Justice Education and Training Standards Commission), to: (1) delay the renewal dates of employment-related certifications issued to residents of the counties listed above in paragraph 2; and (2) delay or modify any educational or examination requirements for employment-related certifications (ex. Mandatory In-Service Training) for residents of the counties listed above in paragraph 2.

Finally, while [Senate Bill 743](#) makes appropriations totaling \$644 million that benefit both State and local government and the citizens of this State, the following appropriations support the Hurricane Helene recovery efforts and are of particular interest to the criminal justice community:

1. The bill appropriates to the North Carolina Department of Public Safety (DPS) \$75 million in nonrecurring funds for the 2024-2025 fiscal year to provide state matching for federal disaster assistance programs and generate an estimated \$2.9 billion in federal receipts, assuming a 90/10 federal/state split.
2. The bill appropriates to DPS \$50 million in nonrecurring funds for the 2024-2025 fiscal year to provide funding for state agencies and units of local government in counties with a federal disaster declaration due to Hurricane Helene to cover unmet needs not covered by insurance or available federal aid.
3. The bill appropriates to the North Carolina Department of State Treasurer \$500,000 in nonrecurring funds for the 2024-2025 fiscal year to pay line of duty death benefits under the Public Safety Employees' Death Benefit Act in counties with a federal disaster declaration due to Hurricane Helene.

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