

# North Carolina Sheriffs' Association

Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

July 19, 2013

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## Session Continues

The 2013 Session of the General Assembly is now approaching 100 days without a definitive date for adjournment. The House adjourned for the week on Thursday and will hold a limited schedule on Sunday and a full schedule on Monday. The Senate worked on Friday and will return on Monday.

While both the House and Senate continue to churn through bills, a compromise on the budget has yet to be reached. There is some indication from the House that a budget compromise will be reached on Friday with the details to be published on Sunday or Monday, and votes taken on Tuesday and Wednesday.

This week we did see the House and Senate agree on the major tax reform bill and Governor Pat McCrory signed it into law. The House decided to change House Bill 786, RECLAIM NC Act, also known as the immigration bill, into a study.

The House also voted not to agree with the Senate changes to House Bill 937, Amend Various Firearms Laws, primarily due to the proposed repeal of the sheriffs' involvement in issuing pistol purchase permits. Members have been appointed from the House and Senate to work out the differences in the two versions of the bill.

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## BILL STATUS

HOUSE BILL 26, Strengthen Laws/Vehicle Theft, has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

HOUSE BILL 392, Warrant Status/Drug Screen Public Assistance, has been scheduled by the House for a vote on Monday, July 22. **This bill is supported by the North Carolina Sheriffs' Association.**

HOUSE BILL 399, Amend Laws Pertaining to Department of Health and Human Services, has passed the Senate and has been returned to the House for consideration of the Senate changes.

HOUSE BILL 618, Amend Firearm Restoration Law, has been scheduled by the House for a vote on Tuesday, July 23.

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HOUSE BILL 725, *Young Offenders Rehabilitation Act*, has been removed from the House Committee on Appropriations and has been reassigned to the Committee on Rules Calendar and Operations of the House. **This bill is opposed by the North Carolina Sheriffs' Association.**

HOUSE BILL 786, *RECLAIM NC Act*, has passed the House and has been referred to the Senate Committee on Rules and Operations of the Senate. The bill was amended to study immigration reform in the state. The Department of Public Safety would be directed to study the potential impact on public safety, the State economy, and illegal immigration. The study would include:

- Increasing the penalties for crimes related to the possession, manufacture or sale of false driver's licenses and other identification documents.
- Creating a rebuttable presumption against the pretrial release of undocumented aliens who commit serious crimes.
- Requiring a secured appearance bond as a condition of pretrial release for undocumented aliens who have committed serious crimes.
- Requiring undocumented alien prisoners to reimburse the State for the cost of their incarceration after conviction of a crime.
- Establishing standards of reasonable suspicion to guide law enforcement officers in conducting immigration status checks when conducting a lawful stop, detention or arrest.
- Prohibiting the use of consular documents from being considered a valid means of establishing a person's identity by a justice, judge, clerk, magistrate, law enforcement officer, or other State official.
- Implementing a process for undocumented aliens to obtain a temporary driving privilege. This portion of the study would:
  - Examine the impact that such a process would have on highway safety, insurance rates and claims for accidents that occur at the hands of the uninsured.
  - Estimate the number of individuals who would seek to obtain a temporary driving privilege through such a process.
  - Determine whether there are adequate insurance products available to insure individuals who obtain the temporary driving privilege.
  - Examine any other matters that the Division of Motor Vehicles deems relevant.
- Adopting measures that have been adopted in other States to combat the problem of illegal immigration.

The Department of Public Safety would report its findings and recommendations to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety no later than March 1, 2014.

HOUSE BILL 802, *Landlord/Tenant/Shorten Eviction Time*, has passed the House and Senate and has been sent to Governor Pat McCrory for his signature. **This bill is supported by the North Carolina Sheriffs' Association.**

HOUSE BILL 936, Wildlife Poacher Reward Fund, has passed the Senate and has been returned to the House for consideration of the Senate changes.

HOUSE BILL 937, Amend Various Firearms Laws, members from both the House and Senate have been appointed to a committee in an attempt to reach an agreement on the differences in the bill. **The North Carolina Sheriffs' Association opposes the section of the bill that would repeal the pistol purchase permit system.**

SENATE BILL 18, Amend Locksmith License Act/Raise Fee Ceiling, has been scheduled by the House for a vote on Monday, July 22.

SENATE BILL 112, Create Jobs through Regulatory Reform, passed the House on July 11 and was referred to the Senate Committee on Rules and Operations of the Senate on July 16. The bill was amended to include a study of the structure, organization and operation of the various independent occupational licensing boards as defined in G.S. 93B-1 by the Joint Legislative Program Evaluation Oversight Committee. The North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission would be affected by the study.

SENATE BILL 140, Financial Exploitation of Older Adults, has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

SENATE BILL 182, Limit Appeals to Superior Court, has been scheduled by the House for a vote on Monday, July 22.

SENATE BILL 200, Extend Time for Forensic Accreditation, has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

SENATE BILL 321, Contain Counties' Inmate Medical Costs, has passed a second vote in the House and is scheduled for a final vote on Monday, July 22. The bill was amended in the House Committee on Rules, Calendar and Operations of the House to add several non-related sections.

SENATE BILL 344, Vintage Auto Inspections, has passed the House and Senate and has been sent to Governor Pat McCrory for his signature.

SENATE BILL 571, Authorize Various Special Plates. Members from both the House and Senate have been appointed to a committee in an attempt to reach an agreement on the differences in the bill.

SENATE BILL 626, Recodify Animal Shelter Law, has passed the House and Senate and has been sent to Governor Pat McCrory for his signature. The bill was amended to allow any animal control officer, animal cruelty investigator, law enforcement officer, firefighter or rescue squad worker with probable cause, to enter a motor vehicle by any reasonable means if an animal is under conditions that may cause injury or death. A reasonable search for the owner of the vehicle must be attempted before entry into the vehicle.

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If you would like a copy of any of the legislation introduced or considered by this year's General Assembly, copies are available on the General Assembly's World Wide Web site: [www.ncleg.net](http://www.ncleg.net) or by calling the General Assembly's Printed Bills office at 919/733-5648.

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