

North Carolina Sheriffs' Association

Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

June 03, 2011

The General Assembly remains on track to make this a historic week by having a state budget adopted by June 4th. In most years the state budget is adopted well after the July 1st start of the new fiscal year, but it will be adopted early this year.

As reported last week, the House and Senate incorporated mutual changes in the Senate version of the budget bill. It is being voted on this afternoon for acceptance by the House and the plan is for a final vote to occur late tonight shortly after midnight. Then on Saturday, the House and Senate will send the budget bill to Governor Bev Perdue for her consideration. Governor Perdue has up to 10 days to sign the bill into law, allow it to go into effect without her signature or to veto it.

While we do not know exactly what Governor Perdue plans, she is certainly making statements that show her displeasure with the contents of this year's state budget bill. If Governor Perdue vetoes the budget bill, there is wide speculation that there will be enough votes in the House and the Senate to overcome that veto and enact the budget into law anyway.

House and Senate leaders have indicated that they plan to wrap up this year's legislative session on Friday, June 17th, or at the latest in the early morning hours of Saturday, June 18th. Given their ability to keep the legislative session moving on schedule so far this year, there seems to be a very good chance that the June 17th adjournment date will be achieved.

We anticipate that the House and Senate will have a brief session on Saturday for the purpose of preparing the budget to go to Governor Perdue and that they will then adjourn to reconvene next Monday evening.

BILL STATUS

HOUSE BILL 98, *Breweries to Sell Malt Beverages on Premises*, has been approved by the General Assembly and sent to Governor Bev Perdue for her signature.

HOUSE BILL 227, *Disturbing/Dismembering Human Remains*, is a bill that was amended to delete the entire contents of the previous bill and create a new bill that makes it unlawful to dismember a human body. This legislation was introduced in response to a tragic murder of a young child by her mother and is designed to respond to some of the terrible facts in that case. This bill passed the House and has been sent to the Senate for further consideration.

HOUSE BILL 233, *Department of Correction/Ex-Offenders*, has been approved by the House and referred to the Senate for further consideration.

HOUSE BILL 538, Remove Restriction/LEO Disability Benefits, has been approved by the House State Personnel Committee and referred to the House Appropriations Committee for further consideration.

HOUSE BILL 571, Prepaid Wireless/Point of Sale Collection, has been approved by a House committee and is awaiting consideration by the full House.

HOUSE BILL 603, Paying of Overweight Fines by Private Parties, has been approved by the House and sent to the Senate Transportation Committee for further consideration.

HOUSE BILL 607, Habitual DWI Restoration Clarification, has been approved by a House committee and is likely to be scheduled for further consideration by the full House next week.

HOUSE BILL 642, Justice Reinvestment Act, has been passed by the House and sent to the Senate for further consideration.

HOUSE BILL 650, Amend Various Gun Laws, has been approved by the House Judiciary Subcommittee C and is likely to be scheduled early next week for consideration by the full House. This bill started out with over 30 sections related to various changes in North Carolina gun laws and has been amended numerous times through the committee process. Persons interested in the impact of these changes on North Carolina gun laws should review the bill in its entirety.

HOUSE BILL 656, Controlled Substances/Photo ID, has been approved by the House and sent to the Senate for further consideration.

HOUSE BILL 659, Capital Procedure/Severe Mental Disability, has been scheduled for consideration later today by the full House.

HOUSE BILL 661, CDL/HAZMAT Endorsement Expiration, has been passed by the House and sent to the Senate Transportation Committee for further consideration.

HOUSE BILL 662, Electronic Monitoring Fee, has passed the House and will next be considered by the full Senate.

HOUSE BILL 696, Assault on LEO Inflicting Bodily Injury, has passed the House and been sent to the Senate for further consideration.

HOUSE BILL 755, Study Fox Laws, directs the Wildlife Resources Commission to study fox and coyote populations and report its recommendations on management methods and controls to the 2012 General Assembly.

HOUSE BILL 772, SORNA Compliance, has been converted into a study bill to create a study that will be conducted between now and next year's legislative session.

HOUSE BILL 778, Amend Innocence Commission Laws, makes various changes at the request of the North Carolina Conference of District Attorneys in the Innocence Commission process. This bill has been approved by a House committee and is expected to be considered by the full House next week.

HOUSE BILL 850, The Baucum - Reynolds Safe Roads Act, has been approved by a House committee and is next scheduled to be considered by the full House next week.

HOUSE BILL 853, End Ct. Orders/Est. Local Intake Procedures, would provide that a court order is no longer required to establish local intake procedures for receiving delinquency and undisciplined complainants. This bill has been approved by a House committee and will next be considered by the full House.

SENATE BILL 9, No Discriminatory Purpose in Death Penalty, in essence will repeal the main features in the Racial Justice Act that allows convicted murderers to claim racial bias in their trial based on statistics, even though the statistics are not directly relevant to their case. We anticipate that this bill will be voted on later today by the House, be approved and be sent to the Senate for further consideration.

SENATE BILL 16, Obtain Blood Sample/Implied-Consent Laws, has been passed by the House and will be returned to the Senate for consideration of the House changes.

SENATE BILL 438, Clarify Motor Vehicle Licensing Law, has been approved by a Senate committee and is expected to be considered by the full House early next week.

SENATE BILL 635, Littering Offenses/Increase Fines, has been approved by one Senate committee and is now being scheduled to be considered by the Senate Finance Committee.

SENATE BILL 684, Post-Release Supervision/Sex Offenders, has been approved by a Senate committee and is next scheduled for consideration by the full House.

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 or by calling the General Assembly's Printed Bills office at 919/733-5748.

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