

2022 Legislative Summary
May 29, 2022

S 762 (2022 Farm Act). Sens. Jackson, Sanderson, Woodard. Senate Rules. This bill will legalize all forms of currently legal hemp (less than .03% THC), and conform NC law with federal law upon the expiration of the state industrial hemp pilot program on June 30. With the advent of legal hemp under the 2015 pilot program, enforcement of marijuana laws and establishing probable cause for searches became much more difficult because there is no way to distinguish hemp from marijuana based on smell or appearance. The current bill explicitly excludes all forms of hemp from the definition of illegal marijuana. Efforts by law enforcement in the 2019-20 session to distinguish loose (smokable) hemp from other hemp and make it illegal in order to preserve marijuana enforcement was not successful. Support for this approach is even weaker now, with the widespread sale of smokable hemp and investment in its production and sale. NCACP and other law enforcement entities have made clear to legislators that legalizing all forms of hemp is “de facto” legalization of marijuana. This bill will almost certainly pass. NCACP’s stance on S 762 is “no position” on S 762. The N.C. Sheriffs Association also has “no position” on the bill.

S 765 Legalize Marijuana. Sen. Fitch. Senate Rules. Makes legal production, sale, possession of all forms of marijuana of up to two ounces, to be administered by a Cannabis Control Commission to oversee number and location of production, distribution, and retail sale (within prescribed limits—400 retail outlets for example). Requires automatic expungement of convictions related to marijuana based on actions that would be legal under the new law.

S 711 Medical Marijuana, Compassionate Care Act. Sens. Rabon, Lee. Senate Rules. Authorizes marijuana use for medical purposes, under comprehensive regulatory framework. This 2021 bill is pending, but no action has been taken.

Organized Retail Theft. H 1005 (Reps. Boles, Davis, McNeill, C. Smith; House Judiciary 2) and **S766** (Sens. Britt, McInnis, Craven; Senate Judiciary). Increases felony penalties for participating in organized retail theft, based on aggregate value of property stolen. Both these bills will be heard in committees on June 1. I will speak in support for NCACP.

Civilian Traffic Investigators. H 1024 and **S 892** (Durham); **S 809** (Winston-Salem); **S 903** (Raleigh and Asheville); **H 1011** (Greenville, Wilmington). Authorizes named cities to employ civilians to investigate crashes involving only property damage and to direct traffic. Minimum training prescribed; cannot be armed, make arrests or issue criminal process. Greenville currently has civilian traffic investigators who would be authorized under H 1011 to issue citations for G.S. Ch. 20 violations.

Law Enforcement Officer Investment Act (H 1128 Reps. Reives, Hunter, Cooper-Suggs, Everitt) and **S 800** (Sens. Batch, Fitch, Garrett). Appropriates \$250,000 (enhance programs), \$250,00

(online programs) to NC Justice Academy; \$250,00 for the NC LEO Accreditation Program; expand CJ Fellows Program to all counties and make bachelor's degree and BLET eligible for loans; require all local agencies to have crisis intervention teams and appropriate \$250,000 to NC DOJ for crisis intervention training grants.

S 801 Community Safety Act, Sens. Batch, Fitch, Garrett. Defines strangleholds and similar neck restraints as deadly force and requires officers to use “the minimum amount of force necessary to accomplish law enforcement actions” and de-escalation tactics when possible; sets age 21 as minimum to qualify as LEO; appropriates \$200,000 to NC DOJ to assist local agencies with grant applications; \$250,000 to NC DOJ for grants to local agencies for community policing initiatives; \$500,000 to NC DOJ for grants to local agencies for exemplary service in meeting gender and racial diversity benchmarks established by DOJ (not to exceed \$10,000); \$1M to DOJ for grants to local agencies to fund investigators for person crimes of Class D felony or higher.

Local Law Enforcement Bonus. S 802 (Sens. Batch, Garrett, Fitch); **H 1055** (Reps. McNeill, Boles, C. Smith); **H 1147** (Reps. Reives, Galliard, Cooper-Suggs); Appropriates \$50M to DPS in non-recurring funds to fund a one-time bonus of \$1500 to each local law enforcement officer employed on July 1, 2022 in recognition of their service during the coronavirus epidemic. Includes police officers, telecommunicators, sheriff's deputies and detention officers.

S 792 2021-22 State Budget Amendments. Sens. B. Jackson, Harrington, Hise. Makes these changes to the existing state budget: appropriates \$8M to NC DHHS to establish permanent sites and mobile units to administer opioid disorder medications (including methadone and buprenorphine) outside of a hospital, clinic, or treatment center; establish the Supplemental Down Payment Assistance Fund in the NC Housing Finance Agency for first-time homebuyer assistance (\$15,00 maximum) for teachers, law enforcement officers, EMS personnel, firefighters, correctional officers; make various changes to the laws concerning driver's license revocations.

H 1091 (Rep. Reives), and **S 812** (Sens. Batch, Garrett, Fitch). **Homes for Heroes.** Establishes first-time homebuyers assistance program in NC Housing Finance Agency to provide assistance (\$25,000 or 10% of purchase price) for teachers, LEOs, firefighters, active duty military personnel or veterans, EMS personnel. Appropriates \$150M for this purpose.

H 1108. Reps. Moffitt, Hardister, Bradford. House ABC Committee. Makes bars (at least 75% of gross receipts from on-premise consumption) eligible for all on-premise ABC permits.

S 843 Exempt Retiree Income. Sen. Burgin. Senate. Exempts from NC income tax retirement income based on 20 years of government service.

S 778 Increase Bonus for LGERS Retirees. Sen. Burgin. Provides a total of 4% one-time bonus to retirees as of Sept.1, 2022, to include the 2% cost-of-living supplement previously approved by the LGERS board of trustees. Appropriates \$34M to LGERS for half the cost.

S 816 Buy Company Police Time. Sen. Alexander. Allows members of TSERS and LGERS with five years of service to purchase up to five years of service as a company police officer.

S 831 Funds for Opioid Antagonists. Sens. J. Jackson, Murdock, Batch. Appropriates \$250,000 to NC DHHS to purchase and distribute to health departments without cost opioid antagonists.