



North Carolina Association of Chiefs of Police

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LEGISLATIVE REPORT 2022 SHORT SESSION

The General Assembly adjourned on July 1, 2022, and will reconvene for regular business in mid-January, 2023. There will be brief sessions in the interim if necessary to address any gubernatorial vetoes or election laws. The following is a summary of legislative actions of significance to law enforcement. Thanks to our Association officers, board of directors, and individual chiefs who were very helpful in our legislative efforts. Please contact me with any questions.

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NEW LEGISLATION

Automatic Expungements. H 607, S.L. 2022-47. Previous legislation provided for automatic expunctions on Dec. 1, 2021 of certain convictions without petition, order, or notice to law enforcement. This legislation suspends these automatic expungements until August 1, 2023, and requires AOC to convene stakeholders to resolve the issues arising from the automatic expunctions. NCACP supported.

DNA Samples. H 674, S.L. 2022-50. Adds assault on a female, assault on a child under age 12, and offenses related to 50B orders to convictions requiring DNA sample to add to database. NCACP supported.

ABC Social Districts. H 211, S.L. 2022-49. Clarifies social district regulations for possession and consumption of alcohol to address issues of interpretation that arose in the implementation of social districts by cities and counties. Also makes changes to common area entertainment permits.

Organized Retail Theft. S 766, S.L. 2022-30. Increases penalties for organized retail theft, damage to property or assault in commission of organized retail theft; regulates high-volume third-party sellers in online marketplaces. NCACP supported.

Hemp. S 455, S.L. 2022-32. Effective June 30, 2022, hemp and hemp products (containing less than .03% THC) are excluded from the schedule of controlled substances.

ABC Laws. H 768, S.L. 2022-44. Makes various changes to the ABC laws, including replacing purchase transportation permits with logistics and packaging permits (issued by the State ABC

Commission); eliminates limits on amounts of alcoholic beverages that can be purchased or transported by a person; creates permit classification of "bar" (does not serve prepared food) that can obtain all on-premise permits (eliminates current practice of "club" memberships at establishments that primarily serve alcoholic beverages).

Cooperate With ICE. S 101 (not signed by Governor as of 7/9/22). Requires person in charge of jail or other local confinement facility to attempt to learn detainee residency status, and inquire of ICE if detained for certain charges; if ICE detainer or warrant detainee must be taken before judicial official to determine if same person and held for 48 hours or until ICE takes custody.

2022 Appropriations Act. H 103 (not signed by Governor as of 7/9/22). Contains following provisions of significant interest to law enforcement:

--Requires local school boards to consult with teachers, school based administrators, and law enforcement in formulating policies governing student behavior and discipline.

--\$32M to Dept. of Public Instruction for school safety grants.

--\$15M for SRO grant program.

--\$425K to State Crime Lab for 4 additional scientist positions.

Catalytic Converters. S 201, S.L. 2022-68. Class I felony to possess a catalytic converter removed from a vehicle unless the person is a employee of agent of a motor vehicle dealer, repair shop, or licensed recycler; or the owner of the vehicle from which it was removed.

PROPOSED LEGISLATION THAT DID NOT PASS

--A \$1500 one-time bonus for sworn local law enforcement officers and telecommunicators.

--Authorizing administrative law judges to invalidate administrative rules.

--Funding for the Criminal Justice Education and Training and Standards Division to fully implement the RAPBACK program. The requirement for new fingerprints to be submitted to the SBI for RAPBACK remains.

--Allowing violations of ordinances regulating taxi operations to be enforced with criminal sanctions.

--Allowing the SBI to place automatic license plate readers in State ROW.

--Local bills for several individual cities to employ civilian traffic investigators to investigate property-damage only vehicle collisions.