



# Legislative Update

*Week of June 8, 2018*

Roy Cooper, Governor

Erik A. Hooks, Secretary

On Wednesday of this week, the Governor vetoed the budget passed by the General Assembly (view his objections by clicking [here](#)). The Senate voted to override that veto with a vote of 34-13. The House plans to vote on whether to override the veto on Tuesday, June 12. If they do override the veto, which is likely, the budget will become law and will be effective July 1<sup>st</sup>.

House Bill 969 – Enhance Prison Security passed out of the House Judiciary I Committee on Thursday, June 7. The bill would:

- Expand the malicious conduct by prisoner statute to include “expos[ing] genitalia to an employee” and “throw[ing], emit[ting], or caus[ing] to be used as a projectile any bodily fluids, excrement, or unknown substance at an employee.” This conduct is punishable as a Class F felony.
- Prohibit any person from providing forbidden articles or tools for escape. This conduct is punishable as a Class H or Class F felony, depending on whether the article is used to effectuate an escape, assault or insurrection.
- Prohibit any prisoner from possessing forbidden articles or tools to effect an escape or to aide in an assault or insurrection. This conduct is punishable as a Class H felony.
- Specify that the forbidden articles or tools provisions extend to conduct outside of the confinement facility.
- Expand the investigative authority of the State Bureau of Investigation (SBI).

The following amendments to the bill were adopted:

- Allowing a judge discretion to determine whether a sentence for malicious conduct is to be served consecutively or concurrently. The original language stated that the sentence “shall run consecutively to and shall commence at the expiration of any sentence being served by the person.” The amendment changed the word “shall” to “may.”
- Deleting “masturbates in front of an employee” from the bill language.
- Adding reporting requirements for the Department of Public Safety, the Conference of District Attorneys, and the Administrative Office of the Courts to provide insight as to how violations in prisons are reported and prosecuted.

HB 969 will likely be voted on in the House next week. The bill will then go to the Senate for consideration.

If you have any questions or comments, please contact Legislative Affairs Director Susanna Davis at 919-825-2717 or [susanna.davis@ncdps.gov](mailto:susanna.davis@ncdps.gov).

## DPS Bills with Action this Week

(Note: Click on the bill number or title to view the most current version of the bill)

Division(s) Impacted	Sponsor(s)	Bill #	Short Title	Action
ALE	McGrady, Brawley, Hardister, and Harrison	<a href="#"><u>H500</u></a>	<a href="#"><u>ABC Omnibus Legislation.</u></a>	Re-referred to the Senate Committee on Finance
Emergency Management	Faircloth	<a href="#"><u>H670</u></a>	<a href="#"><u>Protect Educational Property.</u></a>	Re-referred to Senate Judiciary. If favorable, re-referred to Rules and Operations of the Senate
Emergency Management	Torbett, Dobson, and Lewis	<a href="#"><u>H934</u></a>	<a href="#"><u>Threat Assessment Teams.</u></a>	Passed the House 116-0; Referred to Committee on Rules and Operations of the Senate
Emergency Management	J. Bell, Lewis, and Torbett	<a href="#"><u>H938</u></a>	<a href="#"><u>Various School Safety Changes.</u></a>	Passed the House 111-0; Referred to Committee on Rules and Operations of the Senate
Administration	Boles and Davis	<a href="#"><u>H945</u></a>	<a href="#"><u>Rape Evidence Collection Kit Tracking Act.</u></a>	Passed 2nd Reading in House 109-0; Placed on Calendar for 3rd Reading 6/11/2018
Emergency Management	Faircloth, Speciale, Boles, and Brenden Jones	<a href="#"><u>H963</u></a>	<a href="#"><u>Clarify Prevention/Emergency Management Act.</u></a>	Passed the House 106-0; Referred to Committee on Rules and Operations of the Senate
ACJJ	Davis and Boles	<a href="#"><u>H969</u></a>	<a href="#"><u>Enhance Prison Security.</u></a>	Passed out of the Committee on Judiciary I (note: current version not yet available online)

SHP	Burr	<u>H1077</u>	<u>State Highway Patrol/Salary Increases/Funds.</u>	Referred to the Committee on Appropriations
All	Lee, Meredith, and Ford	<u>S99</u>	<u>Appropriations Act of 2018.</u>	Vetoed by the Governor; Veto Overridden in Senate 34-13; Placed on House Calendar 6/12/13
Emergency Management; SHP	B. Jackson, Cook, and Sanderson	<u>S711</u>	<u>NC Farm Act of 2018.</u>	Passed 2nd Reading in Senate 32-13; Placed on Calendar for 3rd Reading 6/11/2018
Emergency Management	Rabin, Alexander, and Sanderson	<u>S723</u>	<u>Clarify Prevention/Emergency Management Act.</u>	Re-referred to State and Local Government. If favorable, Re-referred to Rules and Operations of the Senate
Admin	Randleman and Sanderson	<u>S727</u>	<u>Rape Evidence Collection Kit Tracking Act.</u>	Passed the Senate 44-0; House Referred to the Committee on Judiciary I
ACJJ	Krawiec and Pate	<u>S750</u>	<u>Health-Local Confinement/Prison HealthConnex.</u>	Re-Referred to Health Care. If favorable, Re-Referred to Rules and Operations of the Senate
Admin	Wells, Tarte, and Edwards	<u>S759</u>	<u>DOA Efficiency/PED.</u>	Re-referred to State and Local Government. If favorable, re-referred to Rules and Operations of the Senate
SBI; Law Enforcement	Chaudhuri and Foushee	<u>S794</u>	<u>Hate Crimes Prevention Act.</u>	Referred to Committee on Rules and Operations of the Senate

## 2018 House Bill Request/Filing Deadlines

Drafts	To Bill Drafting By 4:00 PM	Filed By 4:00 PM
Bills recommended by Study commissions	Thursday, May 17	Wednesday, May 30
Bills directly and primarily affecting 2018-2019 Budget	Friday, May 18	Thursday, May 31
Local Bills	Thursday, May 24	Thursday, June 7
Bills primarily affecting State or local retirement systems	Tuesday, May 22	Tuesday, June 5

## 2018 Senate Bill Request/Filing Deadlines

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### Eligible to file in 2018 Short Session but no deadlines:

- (1) Bills amending the North Carolina Constitution.
- (2) Appointments to/confirmation of members of State Boards/commissions.
- (3) Resolutions not prohibited by House or Senate Rules.
- (4) Joint resolutions authorizing other bills and those bills if resolution passes by two-thirds vote in each chamber.
- (5) Election law bills.
- (6) Redistricting bills for House, Senate, Congress, judicial and prosecutorial, municipal, and other political subdivisions.
- (7) Bills responding to litigation related to the legality of legislative enactments.
- (8) Bills providing for impeachment of State officers.
- (9) Bills to disapprove Administrative Rules.
- (10) Adjournment resolution sine die.

### Otherwise eligible for consideration

- (1) Bills that made cross-over.
- (2) Veto overrides.