



# Legislative Wrap Up

*June 29, 2018*

Roy Cooper, Governor

Erik A. Hooks, Secretary

On Friday, June 29, 2018, the gavels lowered in both the Senate and House chambers, signifying adjournment. However, the General Assembly will reconvene Tuesday, November 27, 2018, and upon return, will have no restrictions on the type of legislation that may be considered.

Below are the budget highlights as well as other DPS-related bills that are now law.

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).

## **Budget Highlights** *(includes Senate Bills 99, 335, and 750)*

### **Department-Wide**

- Raises the minimum annual salary of full-time state employees to \$31,200.
- Provides a 2% increase to employees with salaries at the new minimum level or higher, unless the employee is eligible to receive the legislative increases outlined for specific members of the State Highway Patrol or employees of Adult Correction.
- Gives state employees five bonus leave days.

### **Adult Correction & Juvenile Justice**

- Provides a 4% salary increase for all state employees working in positions based in state adult correctional facilities. This provision goes into effect on June 30, 2018.
  - Employees that receive the 4% increase are not eligible to receive the 2% increase provided to other state employees.
- Establishes the following minimum salaries:
  - Correctional Officer I – \$33,130.
  - Correctional Officer II – \$34,220.
  - Correctional Officer III – \$36,598.
- Establishes a pay differential for correctional officers required to staff a higher custody level facility for any period of time. Correctional officers shall receive the following pay adjustment applied to their base salary for the period of time they work at the higher custody level facility:

- For employees assigned to minimum custody facilities that are required to staff medium custody facilities, the pay differential is 10%.
- For employees assigned to medium custody facilities that are required to staff close custody facilities, the pay differential is 10%.
- For employees assigned to minimum custody facilities that are required to staff close custody facilities, the pay differential is 20%.
- Increases the line-of-duty death benefit to \$100,000 for prison employees.
  - This increase will be retroactive to include the families of Meggan Callahan, Wendy Shannon, Justin Smith, Veronica Darden, and Geoffrey Howe.
- Appropriates \$15 million for infrastructure improvements related to safety equipment.
- Includes \$1.7 million for Chase Laundry air handling and roof replacements.
- Provides \$400,000 to expand and improve security cameras and systems.
- Allocates \$5,000 for grant-in-aid to Robeson County to support the local reentry council.
- Funds 65 positions in the Court Services section of the Juvenile Justice to support the Juvenile Justice Reinvestment Act. The positions will be allocated as follows:
  - 40 Court Counselors
  - 15 Court Counselor Supervisors
  - 10 Office Assistants
- Establishes a North Carolina Criminal Justice Fellows Program. This program is created to increase the number of criminal justice professionals by providing forgivable loans for individuals to obtain various criminal justice degrees.

## **Emergency Management**

- Provides \$60 million for the State Emergency Response/Disaster Relief Reserve.
- Funds disaster recovery efforts as follows:
  - \$250,000 for North Carolina 2-1-1.
  - \$2.8 million for river gauges and dam inundation mapping.
  - \$100,000 grant-in-aid to the Stanly County Airport for broadband infrastructure.
  - \$2.3 million to support the state search and rescue teams, of which \$100,000 is allocated for engineers.
  - \$25 million for state-funded hazard mitigation, relocation gap funding, and flood insurance subsidies.

## **NC National Guard**

- Includes \$14 million for the Burke and Wilkes County Readiness Center projects.
- Provides \$500,000 for the Tarheel ChalleNGe Academy building.

## **NC State Highway Patrol**

- Appropriates \$7.2 million to establish a pay schedule for the State Highway Patrol that increases the annual beginning trooper salary to \$44,000 and sets a stepped progression from beginning trooper to top trooper pay of \$64,202 over a period of six years by providing increases of 6.5% per year.
- Provides that the State may require a Highway Patrol cadet to execute a written agreement to reimburse a portion of the training costs incurred if the cadet completes the training but does not remain a state trooper for 36 months.
  - The portion of the costs to be reimbursed is \$36,000, less \$1,000 for each month the individual serves as a state trooper with the Highway Patrol.
  - If a state trooper separates from the Highway Patrol before 36 months of service following completion of the training program, and is hired within six months of separation by a municipal law enforcement agency, a Sheriff's office, or a company police agency certified under Chapter 74E of the General Statutes, then that hiring entity is liable to the State in the amount of \$36,000.

## **NC State Bureau of Investigation**

- Directs \$7.2 million to the SBI for building renovation.
- Gives Alcohol Law Enforcement jurisdiction and primary responsibility to enforce laws regarding youth access to tobacco products.

## **Additional Provisions**

- Provides \$16,500,000 for VIPER upgrades.
- Directs \$75,000 to Samarcand Training Academy for upgrades to its training simulator to support school safety.
- Allocates \$1.25 million for Samarcand Vocational Building renovation.
- Requires the North Carolina Sentencing and Policy Advisory Commission, in consultation with the Department of Public Safety and the North Carolina Sheriffs' Association, to study the most effective setting to house and provide appropriate treatment services for Driving While Impaired Aggravated Level One and Level One offenders. The study shall consider whether State prisons, county jails, or dedicated multicounty jail treatment facilities are the most appropriate setting.

## **Other DPS-Related Bills Now Law**

### **House Bill 284 ([S.L. 2018-22](#)) – 25-Year LEO Retirement Option.**

- Allows law enforcement officers with 25 years of creditable service who are members of TSERS and LGERS to retire with reduced benefits, effective July 1, 2019.

### **House Bill 374 ([S.L. 2018-114](#)) – Regulatory Reform Act of 2018.**

- Modifies renewable precertification for persons transporting essentials or restoring utilities during emergency declarations.

### **House Bill 500 ([S.L. 2018-100](#)) – ABC Omnibus Legislation.**

- Directs the ABC Commission to amend its rules to clarify that the presence of a distiller representative is not required for the Commission, a privately-owned bonded warehouse, or a local board to destroy distressed liquor.
- Directs the ABC Commission to amend its rules so that the mixed beverage tax stamp may be affixed to any vertical portion of the container, and not only the original paper labeling of the container. A mixed beverages tax stamp must be affixed to any bottle of liquor sold to a mixed beverages permittee.
- Provides that a nonprofit organization that has received a limited special occasion ABC permit or special one-time ABC permit may renew the permit rather than applying for a new permit.
- Allows a nonprofit organization holding a ticketed event with a special one-time ABC permit to offer alcoholic beverages as a prize in a raffle or sell alcoholic beverages at auction at the ticketed event.

### **House Bill 670 ([S.L. 2018-72](#)) – Protect Educational Property.**

- Increases the criminal penalties for communicating a threat of mass violence on educational property or at a place of religious worship.
- Provides conditional discharge of persons convicted of those offenses when the offense is committed under the age of 20.
- Requires a judge to set conditions of pretrial release for those offenses.

### **House Bill 945 ([S.L. 2018-70](#)) – Rape Evidence Collection Kit Tracking Act.**

- Establishes a statewide sexual assault kit tracking system and requires tracking of all untested sexual assault kits.
- Directs the Secretary of Public Safety to convene a working group to determine, among other matters, testing priority for untested kits.

### **House Bill 969 ([S.L. 2018-67](#)) – Enhance Prison Security.**

- Expands the “malicious conduct by prisoner” statute to include throwing, emitting, or causing 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.
  - An inmate who exposes genitalia to an employee is guilty of a Class I felony.
  - Sentences shall run consecutively.

- Prohibits 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.
- Prohibits 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.
  - Specifies that the forbidden articles or tools provisions extend to conduct outside of the confinement facility.
- Adds 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.

**Senate Bill 616 ([S.L. 2018-44](#)) – Heroin & Opioid Prevention & Enforcement Act.**

- Expands the SBI's Diversion & Environmental Crimes Unit's jurisdiction to include suspected criminal use of the controlled substance reporting system.

**Senate Bill 711 ([S.L. 2018-113](#)) – NC Farm Act of 2018.**

- Allows any law enforcement agency in the State to enter into intergovernmental law enforcement mutual aid agreements with out-of-state law enforcement agencies or out-of-state law enforcement officers to aid in enforcing North Carolina laws within the jurisdiction of the requesting law enforcement agency for maintaining security during the World Equestrian Games in September 2018.

**Senate Bill 750 ([S.L. 2018-76](#)) – Health-Local Confinement/Vet. Controlled Substance.**

- Ensures that state prisons are full participants in the NC Health Information Exchange (HIE Network) known as HealthConnex.