



Legislative Update

Week of March 22, 2021

Roy Cooper, Governor

Erik A. Hooks, Secretary

Legislators were knee-deep in activity this week. However, the event that garnered the most attention was Wednesday's release of Governor Cooper's \$27.3 billion recommended budget proposal, which was presented to the Joint Appropriations Committee on Thursday. Detailed information on the more than \$2.4 billion appropriation to DPS included in the Governor's recommended budget proposal is provided below. As a reminder, the Governor presents his budget first; then, the Senate will generate a budget; and finally, a conference budget will be approved by both chambers and presented to the Governor for signature.

Earlier in the week, the Joint Appropriations Committee on Justice and Public Safety received an overview presentation on DPS Administration, Emergency Management, NCORR, and the National Guard. This wrapped up the divisional overview presentations provided to JPS committee members.

As a final note, the legislative spring break was announced. It has been scheduled for the week of April 5th, meaning legislators will remain in their districts for that week.

Budget Highlights

Department-wide

- Funds a \$1,000 bonus in fiscal year 2021-22 and 2.5% cost of living adjustments in each year of the biennium.
- Creates an \$8,296,000 recurring salary reserve for DPS to utilize to address compression, equity, and high turnover in various positions.
- Increases the state's contribution for members of the Teacher's and State Employee's Retirement System (TSERS) for fiscal year 2021-23. (Includes a 2% recurring cost-of-living adjustment and a one-time 2% bonus in both years of the biennium for retirees.)
- Provides \$6,175,946 in fiscal year 2021-22 and \$12,595,040 in fiscal year 2022-23 for continued health benefit coverage for enrolled active employees.
- Creates one Advanced Analytics and Data Interpretation position, which is funded at \$140,380 recurring.
- Increases the Department of Information Technology subscription rates based on the fiscal year 2021-22 approved rate of \$820,761 recurring in both years of the biennium.

Administration

- Provides \$1,136,489 recurring in both years of the biennium for nine (9) positions (five HR positions and four IT Positions) to support the department's operations.
- Appropriates \$1 million non-recurring in fiscal year 2021-22 to the Governor's Crime Commission for community violence prevention grants.
- Allocates \$127,000 to SamarCand for the Cochran Land purchase in fiscal year 2021-22.

ABC Commission

- Appropriates receipts of \$313,000 non-recurring in fiscal year 2021-22 to fund the installation of internal rack shelving units for storage at the ABC Warehouse.
- Spends \$480,000 non-recurring in fiscal year 2021-22 and \$50,000 non-recurring in fiscal year 2022-23 for the renovation of the ABC Commission Office.

Alcohol Law Enforcement

- Provides \$1,238,121 recurring for both years of the biennium for nine (9) administrative support positions and for leasing office space. (Includes the newly formed Gambling Unit.)
- Funds \$291,950 non-recurring in fiscal year 2021-22 for furnishings.

North Carolina National Guard

- Appropriates the state match of \$541,758 recurring in both years of the biennium for Tarheel Challenge High School. (Supports 37 FTE.)
- Designates \$400,000 non-recurring in fiscal year 2021-22 to purchase high frequency radios for National Guard use during disasters when traditional communication lines may be down.
- Allocates \$3,569,696 for National Guard Armory and Facility Projects.

State Bureau of Investigation

- Creates one FTE to support the Center for the Reduction of Law Enforcement Use of Deadly Force. Also funds one contractor. Both will assist the Center with data collection and analysis, training, and presentation of data. Appropriates \$101,276 recurring dollars in both years of the biennium. Additionally provides \$159,417 non-recurring funds in fiscal year 2021-22 and \$325,000 in non-recurring funds for fiscal year 2022-23.
- Funds eight (8) Human Trafficking Agents with \$1,037,533 recurring in both years of the biennium and \$461,920 non-recurring in fiscal year 2021-22.

State Capitol Police

- Shifts \$4,814,600 in recurring funding for the State Capitol Police from receipts to net appropriation in order to run all facets of a police department more efficiently and effectively with the increased flexibility to reallocate and relocate officers as needed.
- Appropriates \$1,450,000 recurring in both years of the biennium and \$279,426 non-recurring in fiscal year 2021-22 for 20 FTE and vehicles.
- Creates a pay plan for SCP law enforcement officers similar to that of the State Highway Patrol with First Class and Master Class Officer designations. (A detailed corresponding special provision provides additional guidance.) Allocates \$75,000 recurring in both years of biennium.

State Highway Patrol

- Provides \$11.1 million to update the computer aided dispatch system (CAD).
- Allocates \$2 million recurring in both years of the biennium for Highway Patrol Basic School training operations, new equipment, uniforms, vehicles, and safety gear for new Troopers.
- Provides \$1,540,000 in non-recurring funds for the placement of automated external defibrillators (AEDs) in Highway Patrol vehicles.
- Directs \$2,360,000 in fiscal year 2021-22 to State Highway Patrol for Troop B Headquarters in Elizabethtown.

VIPER

- Invests \$19,325,000 in non-recurring funds to update the statewide VIPER system.

Emergency Management

- Provides \$753,000 recurring in both years of the biennium for eight (8) Emergency Management positions to support school safety, cyber security, disaster recovery operations, and division-wide financial oversight and management.
- Designates \$1.5 million recurring in both years of the biennium to search and rescue teams operating funds for training, administration, and equipment maintenance expenses.
- Creates one position for an agency impact analyst that will serve as an environmental justice, equity, and inclusion coordinator within the division. Allocates \$103,000 recurring in both years of the biennium.
- Directs \$1 million non-recurring to fund a contract for the research needed to incorporate climate science into North Carolina’s Hazard Mitigation Plan.

North Carolina’s Office of Recovery and Resiliency

- Invests resources to support resiliency in the State. Provides \$594,363 recurring in both years of the biennium.

Adult Corrections and Juvenile Justice

- Directs \$16,126,383 to ACJJ to establish a step pay plan for certified employees in fiscal year 2021-22, and \$31,725,885 recurring in fiscal year 2022-23. (A corresponding special provision provides additional details on this pay plan.)
- Funds the Long-Term Care Facility for Central Prison. Appropriates \$3,508,710 recurring and \$1,272,194 non-recurring in fiscal year 2021-22. Then provides \$7,179,161 recurring in fiscal year 2022-23. (Supports 35 FTE in 2021-22 and 77 FTE in 2022-23.)
- Spends \$5,966,000 non-recurring in fiscal year 2021-22 to make critical safety improvements such as implementing man-down technology, increasing access for AEDs, and providing other vital safety upgrades to facilities.
- Designates \$2,667,000 non-recurring in fiscal year 2021-22 for a capital project at NCCIW to address HVAC needs.
- Directs \$1.8 million non-recurring in fiscal year 2021-22 to update OPUS.
- Provides \$2,367,653 recurring in both years of the biennium and over \$1.3 million non-recurring in fiscal year 2021-22 for six (6) new Chief PPOs, 18 new PPOs, four (4) Field Officers, and four (4) Social Workers.
- Funds ten (10) re-entry PPOs and one (1) Parole Case Analyst II. Spends \$3.18 million recurring and roughly \$304,000 non-recurring over the biennium.
- Appropriates \$500,000 recurring in both years of the biennium and \$1 million non-recurring in fiscal year 2021-22 to fund the Treatment for Effective Community Supervision (TECS) fund.
- Directs \$6,422,000 in fiscal year 2021-22 for capital projects at the ACDP Arledge Building and Shop Building.
- Provides \$350,000 recurring in each year of the biennium to support evidence-based rehabilitative programming grants for offenders.
- Spends just over \$300,000 non-recurring to expand evidence-based training resources for staff facilitators at all prison facilities.
- Allocates \$300,000 non-recurring in fiscal year 2021-22 for Prison Health Electronic Records system upgrades.
- Directs \$1,131,000 recurring in both years of the biennium to fund contraband detection equipment at Scotland and Maury Correctional Institutions.
- Provides \$5 million to create a prisons capital assessment plan that prioritizes repairs and improvements for aging facilities and facilities impacted by natural disasters.
- Creates 11 positions within the Prisons Special Operations Investigative Unit Communication Center. Allocates \$641,190 recurring in both years of the biennium.
- Directs \$5,582,463 to Juvenile Justice in both years of the biennium to fund intensive re-entry support for youth, cover the cost of juvenile detention beds and deliver other services.
- Provides \$1,360,898 recurring in both years of the biennium and 13 new FTE to JJ to allow the Division of Juvenile Justice to become an independent division within DPS.
- Spends \$10,702,952 in fiscal year 2021-22 for the Division of Juvenile Justice Raise the Age renovations at the Richmond Regional Juvenile Detention Center.

DPS Bills with Action this Week

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

| Division(s) Impacted | Sponsor(s) | Bill # | Short Title | Action |
|---------------------------------------|--|--------|---|---|
| EM/Law Enforcement/ NCNG/ACJJ | Hastings, Saine, C. Smith, and K. Baker | H 36 | Protect Those Who Serve and Protect Act. | 3/25/2021 House Passed 3rd Reading 119-0 |
| Alarms Board/PPSB | Davis | H 68 | GSC Licensing Boards and Comm'ns/Rule Crimes. | 3/25/2021 Senate Ref To Com On Rules and Operations of the Senate |
| ABC | Moffitt, Lambeth, Goodwin, and Winslow | H 73 | Temporarily Waive ABC Permit Renewal Fees. | 3/25/2021 Senate Re-ref to Commerce and Insurance. If fav, re-ref to Rules and Operations of the Senate |
| Law Enforcement (Specifically SBI) | McNeill, Hurley, C. Smith, and Greene | H 148 | SBI Emergency Pen Register/Trap and Trace. | 3/25/2021 Senate Ref To Com On Rules and Operations of the Senate |
| PPSB | Hurley | H 157 | Property Finder Definition and Governance.-AB | 3/24/2021 House Re-ref Com On Rules, Calendar, and Operations of the House |
| EM | Hanig, McElraft, Iler, and Shepard | H 161 | Address Abandoned and Derelict Vessels.-AB | 3/25/2021 Senate Ref To Com On Rules and Operations of the Senate |
| ACJJ | McNeill, Boles, and C. Smith | H 173 | Separate Divs-Juv Justice and Adult Corr.-AB | 3/24/2021 House Re-ref Com On Appropriations |

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| JJ | McNeill, Carter, Greene, and Richardson | H 183 | Juv. Court Counselors/Sensitivity Training.-AB | 3/25/2021 Senate Ref To Com On Rules and Operations of the Senate |
| SBI | Arp, B. Jones, Szoka, and Winslow | H 217 | Utilities Comm'n Tech. and Add'l Changes. | 3/24/2021 House Passed 3rd Reading 119-0 |
| ABC | Moffitt, Bradford, Dahle, and Hardister | H 328 | Allow Trade or Exchange of Spirituous Liquor. | 3/23/2021 House Re-ref Com On Alcoholic Beverage Control |
| SBI | Majeed | H 354 | Hate Crimes Prevention Act. | 3/23/2021 House Ref to the Com on Judiciary 1, if favorable, Rules, Calendar, and Operations of the House |
| GCC | D. Hall | H 356 | Speaker/PPT Appointments 2021. | 3/25/2021 Senate Re-ref Com On Select Committee on Nominations |
| EM/ABC | Yarborough | H 366 | Regulatory Reform Act of 2021. | 3/25/2021 House Re-ref Com On Rules, Calendar, and Operations of the House |
| ACJJ | Sasser | H 395 | Extend Deadlines for Mandatory HIE Particip. | 3/25/2021 House Ref to the Com on Health, if favorable, Rules, Calendar, and Operations of the House |
| AC | Kidwell | H 410 | Repeal Certificate of Need Laws. | 3/25/2021 House Filed |
| SHP | Cleveland | H 411 | Driving without Insurance/Tow Vehicle. | 3/25/2021 House Filed |

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| Law Enforcement/ACJJ | Zenger | H 417 | The Sergeant Mickey Hutchens Act. | 3/25/2021 House Filed |
| Law Enforcement/ACJJ | Faircloth, McNeill, Greene, and Miller | H 418 | Threaten LEO or Correctional Officer. | 3/25/2021 House Filed |
| EM | McNeely | H 423 | Emer. Mgt./Powers/Yadkin/Iredell Counties. | 3/25/2021 House Filed |
| JJ | Faircloth | H 424 | Juveniles/Eliminate LWOP/Parole Eligibility. | 3/25/2021 House Filed |
| JJ | Britt, Daniel, and Mohammed | S 207 | Various Raise the Age Changes/JJAC Recs. | 3/25/2021 Senate Passed 3rd Reading 45-0 |
| SBI | Newton | S 209 | Utilities Comm'n Tech. and Add'l Changes. | 3/23/2021 Senate Re-ref Com On Finance |
| EM | Burgin, Galey, and Edwards | S312 | Clarify Emergency Powers. | 3/25/2021 Senate Re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate |
| EM | Rabon, Burgin, and Ford | S 346 | Emergency Management Act Revisions. | 3/25/2021 Senate Re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate |
| Admin | Sanderson, Rabon, and Krawiec | S 335 | Government Transparency Act of 2021. | 3/25/2021 Senate Filed |
| ACJJ | Woodard, Batch, and Clark | S 364 | Automatic Voter Registration. | 3/25/2021 Senate Filed |

2021 Bill Filing Deadlines

House of Representatives:

| Drafts | To Bill Drafting By 4 PM | Filed in House By 3 PM |
|--|---------------------------------|-------------------------------|
| Public Bills and Resolutions (Not Approps or Finance) | Wednesday, April 7 | Tuesday, May 4 |
| Public Bills (Approps or Finance) | Wednesday, April 14 | Tuesday, May 11 |

Bills eligible to be filed in 2021 with no deadlines

- (1) Redistricting bills for House, Senate, Congress, or local entities.
- (2) Ratification of amendments to the Constitution of the United States.
- (3) Resolutions pertaining to the internal affairs of the House or adjournment resolutions.
- (4) Bills introduced on the report of the House Committees on Appropriations, Finance, or Rules.

Senate:

| Drafts | Requested By 4 PM | Filed in Senate By 4 PM |
|------------------------------|--------------------------|--------------------------------|
| Public Bills and Resolutions | Thursday, March 11 | Tuesday, April 6 |

*** CROSSOVER DEADLINE***
Thursday, May 13, 2021

*If you have any questions or comments, please contact Susanna Davis at
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