

2011 Legislation 'Effective December 1, 2011'

S.L. 2011-60 (HB 215) UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW.

An Act To Create Criminal Offenses For Acts That Cause The Death Or Injury Of An Unborn Child Or Are Committed Against A Pregnant Woman, And To Provide That The Act Shall Be Entitled "The Unborn Victims Of Violence Act/Ethen's Law."

[Entire Act]

S.L. 2011-61 (HB 219) SEX OFFENDER REGISTRY AMENDMENTS.

An Act To Provide That A Person Required To Register As A Sex Offender Must Indicate On The Initial Registration Form The Name Under Which The Person Was Convicted For The Sex Offense, To Provide That The Registrant Must Also Notify The Appropriate Sheriff Of Any Name Change By The Registrant And Include Name Changes As Part Of The Verification Procedure, To Direct The Division Of Criminal Statistics To Maintain The Statewide Registry So That A Member Of The Public May Conduct Sex Offender Searches Using Any Name Or Alias Of A Registrant, To

Clarify That Sex Offenders May Not Change Their Name Pursuant To Chapter 101 Of The General Statutes, And To Amend The Law Regarding The Venue In Which To File A Petition To Terminate A Sex Offender Registration Requirement. [See Secs. 1-7 & 9]

S.L. 2011-62 (HB 270) AMEND CONDITIONS OF PROBATION.

An Act To Amend The Law Establishing The Regular And Special Conditions Of Probation And To Repeal The Law Tolling The Probation Period While Criminal Charges Are Pending That Might Result In Revocation Proceedings. [Entire Act]

S.L. 2011-119 (SB 16) OBTAIN BLOOD SAMPLE/IMPLIED-CONSENT LAWS.

An Act To Require That Law Enforcement Request A Blood Sample Under The State Implied-Consent Laws From Any Person Criminally Charged In Any Case Involving Death By Vehicle And Certain Other Offenses And To Seek A Warrant If The Driver Refuses And There Is Probable Cause To Believe The Offense Involved Impaired Driving Or Is Alcohol-Related.

[Entire Act]

S.L. 2011-145 (HB 200) APPROPRIATIONS ACT OF 2011.

An Act To Spur The Creation Of Private Sector Jobs; Reorganize And Reform State Government; Make Base Budget Appropriations For Current Operations Of State Departments And Institutions; And To Enact Budget Related Amendments.

[See Sec. 17.10 and Sec. 32.6 which makes entire act effective 7/1/2011 except as otherwise provided. See also General Statutes and Session Laws Affected by the 2011 Regular Session of the General Assembly.]

S.L. 2011-190 (SB 268) ENHANCE PROTECTION OF VICTIMS AND WITNESSES.

An Act To Create Enhanced Protections For Victims And Witnesses By Increasing The Criminal Penalty For The Offense Of Intimidating Or Interfering With A Witness.

[Entire Act]

S.L. 2011-191 (HB 49) LAURA'S LAW.

An Act To Increase The Punishment For DWI Offenders With Three Or More Grossly Aggravating Factors, To Authorize The Court To Require Continuous Alcohol Monitoring For Certain Offenders, And To Increase The Court Costs For DWI Offenders.

[Entire Act]

S.L. 2011-192 (HB 642) JUSTICE REINVESTMENT ACT.

An Act To Implement Certain Recommendations Of The Justice Reinvestment Project And To Provide That The Act Shall Be Entitled "The Justice Reinvestment Act Of 2011."

[See Secs. 1-4 & 10]

S.L. 2011-193 (HB 227) DISTURBING/DISMEMBERING HUMAN REMAINS.

An Act To Create A Criminal Penalty For Disturbing Or Dismembering Human Remains.
[Entire Act]

S.L. 2011-194 (SB 31) CLARIFY PENALTY UNAUTH. PRACTICE OF MEDICINE.

An Act To Clarify The Penalty For The Unauthorized Practice Of Medicine.
[Entire Act]

S.L. 2011-200 (HB 468) AMEND WEIGHT LIMITS FOR FARM PRODUCTS.

An Act To Allow An Exemption From Vehicle Weight Limits For A Person Hauling Live Poultry From The Farm Where The Live Poultry Is Raised To Any Processing Facility Within One Hundred Fifty Miles Of That Farm. [Entire Act]

S.L. 2011-216 (HB 381) CHECKING STATION PATTERN SELECTION.

An Act To Prevent Law Enforcement Agencies From Establishing Patterns For Vehicle Stops At Checking Stations Based On A Particular Type Of Vehicle. [Entire Act]

S.L. 2011-232 (HB 927) STATE PENSION PLAN SOLVENCY REFORM ACT.

An Act To Make Changes To The Statutes Governing The Teachers' And State Employees' Retirement System And The Consolidated Judicial Retirement System To Ensure The Future Solvency Of Those Systems, To Amend The Provisions Of The Special Separation Allowance For Law Enforcement Officers For Law Enforcement Officers Hired On Or After August 1, 2011, And To Make It A Class 1 Misdemeanor To Fraudulently Receive The Retirement Benefit Of A Deceased Retiree At Least Two Months After The Retiree's Death.
[See Secs. 10 & 11]

S.L. 2011-242 (SB 214) TRANSPORTATION MAP CORRIDORS/CONDEMNATION.

An Act To Limit The Amount Of Time Land May Be Encumbered By A Transportation Corridor Official Map Before The Entity Establishing, Adopting, Or Amending The Transportation Corridor Official Map Is Required By Law To Purchase The Property Or Release The Property From Any Encumbrances Due To Filing Of The Corridor Map.
[Entire Act]

S.L. 2011-243 (HB 271) PROBATION OFFICER/NO CONCEALED CARRY REQUIRED.

An Act To Provide That The Prohibition Against Carrying A Concealed Weapon Does Not Apply To State Probation And Parole Certified Officers When They Are Off-Duty.
[Entire Act]

S.L. 2011-245 (SB 311) PRETRIAL RELEASE VIOLATION/ARREST.

An Act To Allow Warrantless Arrest For Violation Of Pretrial Release Conditions, And Relating To Electronic Technology In Criminal Process And Procedure. [See Secs. 1 & 3]

S.L. 2011-247 (HB 379) UNIFORM DEPOSITIONS AND DISCOVERY ACT.

An Act To Enact The North Carolina Interstate Depositions And Discovery Act And To Make Conforming Amendments To The North Carolina Rules Of Civil Procedure.
[Entire Act]

S.L. 2011-250 (HB 408) AMEND CRIMINAL DISCOVERY LAWS.

An Act To Strengthen North Carolina's Open-File Discovery Law, Protect Crime Stoppers Informants, Protect Victim Information, Require Law Enforcement And Investigatory Agencies To Make Timely Disclosure Of Their Files To Prosecutors, And Avoid Frivolous Claims Of Professional Misconduct Against Prosecutors. [Entire Act]

S.L. 2011-254 (HB 629) SUBSTANCE ABUSE TREATMENT.

An Act To Authorize Screening And Assessing For Chemical Dependency For Defendants Ordered To Submit To Residential Treatment At The Black Mountain Substance Abuse Treatment Center For Women, To Provide That A Defendant May Be Required To Participate In Treatment Ordered By The Court For Its Duration Regardless Of The Length Of The Suspended Sentence Imposed, And By Authorizing The North Carolina Substance Abuse Professional Practice Board To Adopt Rules Related To The Approval Of Substance Abuse Specialty Curricula.
[See Secs. 2 & 4]

S.L. 2011-265 (HB 641) CERTIFICATE OF RELIEF ACT.

An Act To Establish A Certificate Of Relief That Will Assist Individuals Convicted Of Less Serious Crimes In Dealing With Collateral Sanctions And Disqualifications That Result From A Criminal Conviction And A Procedure For Issuing That Certificate. [Entire Act]

S.L. 2011-268 (HB 650) AMEND VARIOUS GUN LAWS/CASTLE DOCTRINE.

An Act To Provide When A Person May Use Defensive Force And To Amend Various Laws Regarding The Right To Own, Possess, Or Carry A Firearm In North Carolina. [Entire Act]

S.L. 2011-271 (HB 427) RUN AND YOU'RE DONE.

An Act To Provide For The Seizure, Forfeiture, And Sale Of Motor Vehicles Used By Defendants In Felony Cases Involving Speeding To Elude Arrest. [Entire Act]

S.L. 2011-277 (SB 135) ALLOW JUVENILE RECORD/RISK DETERMINATION/BOND.

An Act To Allow A Juvenile Record To Be Considered In Making The Risk Determination For Establishing A Bond Under The Laws Pertaining To The Juvenile Code. [Entire Act]

S.L. 2011-278 (SB 397) EXPUNGE NONVIOLENT OFFENSE BY MINOR.

An Act To Provide That A Youthful Offender's Criminal Record May Be Expunged Of Nonviolent Felonies But To Allow The Criminal Justice Education And Training Standards Commission And The Sheriffs' Education And Training Standards Commission Access To The Records Of Expunction. [Entire Act]

S.L. 2011-307 (SB 684) SEX OFFENDER SUPERVISION/FORENSIC AMENDMENTS.

An Act To Clarify And Amend The Law Providing For A Five-Year Period Of Post-Release Supervision For Sex Offenders By Increasing The Maximum Sentence For Sex Offenders And Providing For Their Release On Post-Release Supervision With Five Years Remaining On Their Sentences And To Provide That Willful Refusal To Accept Or Comply With The Terms Of Post-Release Supervision Is Punishable As Contempt Of Court, And To Amend The Forensic Sciences Act. [See Secs. 1-4 & 10]

S.L. 2011-313 (SB 602) DOMESTIC FOWL STRAY/COMMERCIAL POULTRY LANDS.

An Act To Make It A Class 3 Misdemeanor For A Person To Allow Certain Fowls To Run At Large On Certain Lands After Receiving Actual Or Constructive Notice Of The Running At Large. [Entire Act]

S.L. 2011-325 (SB 144) CASH CONVERTERS MUST KEEP PURCHASE RECORDS.

An Act To Require Cash Converter Businesses To Keep Records Of Purchases And To Make Those Records Available To Local Law Enforcement Agencies, And To Exempt Certain Licensed Check Cashers From The Reporting Requirements Of The Check-Cashing Businesses Act. [Entire Act]

S.L. 2011-329 (SB 241) DWI/CUSTODIAL INTERROGATION AMENDMENTS.

An Act To Require That Dwi Sentencing Be At Level One If The Offense Occurs With A Child Less Than Eighteen Years Of Age, A Person With The Mental Development Of A Child Less Than Eighteen Years Of Age, Or A Person With A Physical Disability Preventing Unaided Exit From The Vehicle In The Vehicle, And To Amend The Law Regarding Electronic Recording Of Custodial Interrogations. [Entire Act]

S.L. 2011-336 (SB 349) CONFIDENTIALITY/OPTOMETRY/RE CLOSING INT .

An Act Which Allows The North Carolina State Board Of Examiners In Optometry To Consider Certain Investigative Information As Confidential, Requires Licensees To Cooperate With Law Enforcement Agencies, And Requires Licensees To Self-Report Certain Indictments, Arrests, Medical Judgments, Awards, Payments, And Settlements; And To Require That Interest Earned On Real Estate Settlement Funds Held In Trust Or Escrow Accounts Be Paid Into The North Carolina State Bar's Interest On Lawyers' Trust Account Fund And To Provide For A Private Cause Of Action For Persons Harmed By The Unauthorized Practice Of Law.

[See Secs. 4-6 & 9]

**S.L. 2011-356 (SB 762) ASSAULT ON LAW ENFORCEMENT & EM
WORKER/FELONY.**

An Act To Create The Offense Of Assault Causing Physical Injury Against A Law Enforcement Officer Or Detention Personnel And To Increase The Penalty For Assault Causing Physical Injury And For Assault With A Deadly Weapon Or Inflicting Serious Bodily Injury On Emergency Personnel. [Entire Act]

S.L. 2011-361 (HB 113) MOTORCYCLE SAFETY ACT.

An Act To Create Additional Protections For Motorcyclists From Unsafe Movements By Other Vehicles. [Entire Act]

**S.L. 2011-377 (HB 649) AMEND GROUNDS/LICENSE REVOCAT'N/BAIL
BONDSMAN.**

An Act To Amend The Laws Pertaining To Grounds For Revocation Of Licensure Under The Laws Regulating Bail Bondsmen And Allowing A Bail Agent Acting On Behalf Of A Surety Company To Make Written Motions Regarding Setting Aside Bail Forfeiture And Relief From Final Judgment Of Bail Forfeiture Under The Laws Pertaining To Criminal Procedure.

[See Secs. 6, 7, 8 (as amended by 2011-412, sec. 4.2) 9- 11]

S.L. 2011-381 (HB 761) IGNITION INTERLOCK SYSTEMS/RECORD CHECKS.

An Act To Make Tampering With An Ignition Interlock System An Unlawful Act, To Remove Colored Border Requirements From Certain Licenses, To Clarify That Special Identification Cards Are Subject To Violation Provisions, And To Allow The Division Of Motor Vehicles To Conduct Background Investigations On Every Person Applying For A Restoration Of A Revoked License.

[See Sec. 6]

S.L. 2011-412 (HB 335) PRISON MAINT/JUSTICE REINV/TECH CORR.

An Act To Direct The Department Of Correction And The Department Of Public Safety To Study Contracting For Maintenance Services At Prison Facilities And To Temporarily Limit Expansion Of Private Maintenance Contracts At Prison Facilities; To Make Clarifying Changes To Certain Probation Statutes And To The Justice Reinvestment Act; To Make Clarifying Changes To The Law Relating To Provisional Drivers Licenses, Making A Change To The Budget Technical Corrections Bill And A Technical Change To S.L. 2011-313; To Provide Bondsman Access To Criminal Court Records; To Authorize Additional Connections To Water Supply Lines Funded By The Clean Water And Natural Gas Critical Needs Bond Act Of 1998; And To

Clarify The Qualifications Of Public Members Of The North Carolina Home Inspector
Licensure Board.
[See Secs. 2.4 & 7]