

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

1

HOUSE BILL 930

Short Title: Improve Success of Reentry by Inmates. (Public)

Sponsors: Representatives Clemmons, Hardister, and B. Turner (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary, if favorable, Finance, if favorable, Rules, Calendar, and Operations of
the House

April 22, 2019

A BILL TO BE ENTITLED

AN ACT TO FACILITATE SUCCESSFUL REENTRY BY ASSISTING DISTRICT ATTORNEYS TO IDENTIFY AND EFFICIENTLY DISPOSE OF PENDING MISDEMEANORS AND INFRACTIONS FOR PEOPLE SERVING AN ACTIVE SENTENCE OF SIX MONTHS OR LONGER AND TO ESTABLISH FEE WAIVERS FOR PERSONS RELEASED FROM THE CUSTODY OF THE DIVISION OF ADULT CORRECTION AND JUVENILE JUSTICE OF THE DEPARTMENT OF PUBLIC SAFETY WITHIN THE SIX-MONTH PERIOD PRECEDING THE DATE OF APPLICATION FOR A DRIVERS LICENSE, LEARNER'S PERMIT, DUPLICATE LICENSE, SPECIAL IDENTIFICATION CARD, OR BIRTH CERTIFICATE.

The General Assembly of North Carolina enacts:

PART I. FACILITATE SUCCESSFUL REENTRY BY ASSISTING DISTRICT ATTORNEYS TO IDENTIFY AND EFFICIENTLY DISPOSE OF PENDING MISDEMEANORS AND INFRACTIONS FOR PEOPLE SERVING AN ACTIVE SENTENCE OF SIX MONTHS OR LONGER

SECTION 1.(a) G.S. 148-10.5 reads as rewritten:

"§ 148-10.5. Facilitation of reentry.

In order to facilitate successful reentry and improve judicial efficiency, the Division of Adult Correction and Juvenile Justice of the Department of Public Safety shall work with law enforcement, the district attorneys' offices, and the courts to develop a process by which, both at intake and before release, effort is made, for each inmate in custody, to identify all outstanding warrants on the inmate. The plan should seek to resolve inmates' outstanding warrants while in custody, whenever feasible. In the course of resolving an outstanding warrant while in custody, an inmate shall be notified of the outstanding warrant and his or her right to counsel if such a right exists. In support of these efforts and to improve efficiency, the Administrative Office of the Courts shall (i) provide to each district attorney a quarterly report containing case information for each traffic and nontraffic misdemeanor and infraction that is pending or has been dismissed with leave in their jurisdiction for individuals serving an active sentence of six months or more at the time of the report and (ii) process the dismissal of any case identified in a quarterly report that a district attorney subsequently chooses to dismiss without leave pursuant to G.S. 15A-931."

SECTION 1.(b) This section becomes effective December 1, 2019.



PART II. ESTABLISH CERTAIN FEE WAIVERS FOR PERSONS RECENTLY RELEASED FROM THE CUSTODY OF THE DIVISION OF ADULT CORRECTION AND JUVENILE JUSTICE OF THE DEPARTMENT OF PUBLIC SAFETY

SECTION 2.(a) G.S. 20-7 reads as rewritten:

"§ 20-7. Issuance and renewal of drivers licenses.

...

(i) Fees. – The fee for a regular drivers license is the amount set in the following table multiplied by the number of years in the period for which the license is issued:

<u>Class of Regular License</u>	<u>Fee for Each Year</u>
Class A	\$5.00
Class B	\$5.00
Class C	\$5.00

The fee for a motorcycle endorsement is two dollars and thirty cents (\$2.30) for each year of the period for which the endorsement is issued. The appropriate fee shall be paid before a person receives a regular drivers license or an endorsement. The Division shall not charge any fee under this subsection for a person who applies for the issuance or renewal of a drivers license and presents proof that the person was released from the custody of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety within the six-month period preceding the date of the application.

...

(l) Learner's Permit. – A person who is at least 18 years old may obtain a learner's permit. A learner's permit authorizes the permit holder to drive a specified type or class of motor vehicle while in possession of the permit. A learner's permit is valid for a period of 18 months after it is issued. The fee for a learner's permit is twenty dollars (\$20.00). A learner's permit may be renewed, or a second learner's permit may be issued, for an additional period of 18 months. The permit holder must, while operating a motor vehicle over the highways, be accompanied by a person who is licensed to operate the motor vehicle being driven and is seated beside the permit holder. The Division shall not charge any fee under this subsection for a person who applies for a learner's permit and presents proof that the person was released from the custody of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety within the six-month period preceding the date of the application."

SECTION 2.(b) G.S. 20-14 reads as rewritten:

"§ 20-14. Duplicate licenses.

A person may obtain a duplicate of a license issued by the Division by paying a fee of thirteen dollars (\$13.00) and giving the Division satisfactory proof that any of the following has occurred:

- (1) The person's license has been lost or destroyed.
- (2) It is necessary to change the name or address on the license.
- (3) Because of age, the person is entitled to a license with a different color photographic background or a different color border.
- (4) The Division revoked the person's license, the revocation period has expired, and the period for which the license was issued has not expired.

The Division shall not charge any fee under this section for a person who applies for a duplicate license and presents proof that the person was released from the custody of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety within the six-month period preceding the date of the application."

SECTION 2.(c) G.S. 20-37.7(d) is amended by adding a new subdivision to read:

"(8) The applicant presents proof that the applicant was released from the custody of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety within the six-month period preceding the date of the application."

SECTION 2.(d) G.S. 130A-93.1 is amended by adding a new subsection to read:

1 "(d) The State Registrar shall not charge any fee under subsection (a) of this section for a
2 birth certificate to any individual who applies for a birth certificate and presents proof that the
3 individual was released from the custody of the Division of Adult Correction and Juvenile Justice
4 of the Department of Public Safety within the six-month period preceding the date of the
5 application."

6 **SECTION 2.(e)** G.S. 161-10 is amended by adding a new subsection to read:

7 "(d) The register of deeds shall not charge any fee under subsection (a) of this section for
8 a birth certificate to any individual who applies for a birth certificate and presents proof that the
9 individual was released from the custody of the Division of Adult Correction and Juvenile Justice
10 of the Department of Public Safety within the six-month period preceding the date of the
11 application."

12 **SECTION 2.(f)** This section becomes effective October 1, 2019, and applies to
13 applications received on or after that date.

14
15 **PART III. EFFECTIVE DATE**

16 **SECTION 3.** Except as otherwise provided, this act becomes effective October 1,
17 2019.