

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40403-MLf-126

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

Sponsors: Representatives Clemmons, Hardister, and B. Turner (Primary Sponsors).

Referred to:

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

11 The General Assembly of North Carolina enacts:

12

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

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

18 "**§ 148-10.5. Facilitation of reentry.**

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

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

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



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

2 "**§ 20-7. Issuance and renewal of drivers licenses.**

3 ...

4 (i) Fees. – The fee for a regular drivers license is the amount set in the following table

5 multiplied by the number of years in the period for which the license is issued:

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

10 The fee for a motorcycle endorsement is two dollars and thirty cents (\$2.30) for each year of the

11 period for which the endorsement is issued. The appropriate fee shall be paid before a person

12 receives a regular drivers license or an endorsement. The Division shall not charge any fee under

13 this subsection for a person who applies for the issuance or renewal of a drivers license and

14 presents proof that the person was released from the custody of the Division of Adult Correction

15 and Juvenile Justice of the Department of Public Safety within the six-month period preceding

16 the date of the application.

17 ...

18 (l) Learner's Permit. – A person who is at least 18 years old may obtain a learner's permit.

19 A learner's permit authorizes the permit holder to drive a specified type or class of motor vehicle

20 while in possession of the permit. A learner's permit is valid for a period of 18 months after it is

21 issued. The fee for a learner's permit is twenty dollars (\$20.00). A learner's permit may be

22 renewed, or a second learner's permit may be issued, for an additional period of 18 months. The

23 permit holder must, while operating a motor vehicle over the highways, be accompanied by a

24 person who is licensed to operate the motor vehicle being driven and is seated beside the permit

25 holder. The Division shall not charge any fee under this subsection for a person who applies for

26 a learner's permit and presents proof that the person was released from the custody of the Division

27 of Adult Correction and Juvenile Justice of the Department of Public Safety within the six-month

28 period preceding the date of the application."

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

30 "**§ 20-14. Duplicate licenses.**

31 A person may obtain a duplicate of a license issued by the Division by paying a fee of thirteen

32 dollars (\$13.00) and giving the Division satisfactory proof that any of the following has occurred:

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

39 The Division shall not charge any fee under this section for a person who applies for a

40 duplicate license and presents proof that the person was released from the custody of the Division

41 of Adult Correction and Juvenile Justice of the Department of Public Safety within the six-month

42 period preceding the date of the application."

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

44 "(8) The applicant presents proof that the applicant was released from the custody

45 of the Division of Adult Correction and Juvenile Justice of the Department of

46 Public Safety within the six-month period preceding the date of the

47 application."

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

49 "(d) The State Registrar shall not charge any fee under subsection (a) of this section for a

50 birth certificate to any individual who applies for a birth certificate and presents proof that the

51 individual was released from the custody of the Division of Adult Correction and Juvenile Justice

1 of the Department of Public Safety within the six-month period preceding the date of the
2 application."

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

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

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

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12 **PART III. EFFECTIVE DATE**

13 **SECTION 3.** Except as otherwise provided, this act becomes effective October 1,
14 2019.