

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H.B. 962  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40524-MLa-116

Short Title: DOJ Budget Request & Criminal Justice Fellows. (Public)

Sponsors: Representative Faircloth.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE AND TO  
3 EXPAND ELIGIBILITY FOR THE CRIMINAL JUSTICE FELLOWS PROGRAM.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** There is appropriated from the General Fund to the Department of  
6 Justice the sum of eight million six hundred seventy-seven thousand eight hundred forty-four  
7 dollars (\$8,677,844) in recurring funds for the 2021-2022 fiscal year to be allocated and used as  
8 follows:

- 9 (1) \$1,000,000 to be used to hire eight additional criminal appellate attorneys.  
10 (2) \$663,579 to be used for costs associated with the Criminal Justice Fellows  
11 Program established under G.S. 17C-21.  
12 (3) \$3,100,000 to be used to cover a recurring shortfall in the Department's  
13 budget.  
14 (4) \$1,400,000 to be used to hire 10 additional attorneys to assist with the civil  
15 case load at the Department.  
16 (5) \$158,265 to be used to hire one additional Certification Specialist/Investigator  
17 I for the North Carolina Sheriff's Standards Commission to assist with the  
18 increased complexity of position evaluations resulting from the requirement  
19 in G.S. 17E-7(c2).  
20 (6) \$156,000 to be used to hire one Networking Security Officer to assist with  
21 protecting critical data from State agencies and the general public that is in the  
22 possession of the Department.  
23 (7) \$2,200,000 to be used to cover a recurring shortfall in the budget of the  
24 Criminal Justice Education and Training Standards Commission resulting  
25 from the COVID-19 public health emergency.

26 **SECTION 2.** G.S. 7A-304(a) reads as rewritten:

27 "(a) In every criminal case in the superior or district court, wherein the defendant is  
28 convicted, or enters a plea of guilty or nolo contendere, or when costs are assessed against the  
29 prosecuting witness, the following costs shall be assessed and collected. No costs may be  
30 assessed when a case is dismissed. Only upon entry of a written order, supported by findings of  
31 fact and conclusions of law, determining that there is just cause, the court may (i) waive costs  
32 assessed under this section or (ii) waive or reduce costs assessed under subdivision (7), (8), (8a),  
33 (11), (12), or (13) of this section. No court may waive or remit all or part of any court fines or  
34 costs without providing notice and opportunity to be heard by all government entities directly  
35 affected. The court shall provide notice to the government entities directly affected of (i) the date  
36 and time of the hearing and (ii) the right to be heard and make an objection to the remission or



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1 waiver of all or part of the order of court costs at least 15 days prior to hearing. Notice shall be  
 2 made to the government entities affected by first-class mail to the address provided for receipt of  
 3 court costs paid pursuant to the order. The costs referenced in this subsection are listed below:

4 ...

5 (3b) ~~For the services, staffing, and operations of the Criminal Justice Education~~  
 6 ~~and Training Standards Commission, the sum of three dollars (\$3.00) to be~~  
 7 ~~remitted to the Department of Justice.~~

8 ...

9 (4) For support of the General Court of Justice, the sum of one hundred  
 10 ~~forty seven fifty~~ dollars and fifty cents ~~(\$147.50) (\$150.50)~~ in the district  
 11 court, including cases before a magistrate, and the sum of one hundred  
 12 ~~fifty four fifty-seven~~ dollars and fifty cents ~~(\$154.50) (\$157.50)~~ in the  
 13 superior court, to be remitted to the State Treasurer. For a person convicted of  
 14 a felony in superior court who has made a first appearance in district court,  
 15 ~~both the district court and superior court fees~~ sum of three hundred five dollars  
 16 (\$305.00) shall be assessed. The State Treasurer shall remit the sum of  
 17 ninety-five cents (\$.95) of each fee collected under this subdivision to the  
 18 North Carolina State Bar for the provision of services described in  
 19 G.S. 7A-474.19.

20 ...."

21 **SECTION 3.** G.S. 17C-20(5) is repealed.

22 **SECTION 4.** G.S. 17C-22 reads as rewritten:

23 **"§ 17C-22. North Carolina Criminal Justice Fellows Program established; administration.**

24 ...

25 (b) Program Administrator. – The Director of the Division shall select a member of the  
 26 Division staff, with the consent of the Committee, to serve as the Program administrator. The  
 27 Program administrator will be responsible for all administrative duties and oversight of the  
 28 Program as established by the Committee. The Program administrator will conduct recruitment  
 29 efforts to include the following:

30 (1) ~~Target eligible counties.~~

31 (2) Target high school graduates who, due to economic circumstances, are  
 32 displaced, unemployed, or underemployed.

33 (3) Target high school seniors who demonstrate an interest in becoming criminal  
 34 justice professionals.

35 (4) Engage with criminal justice professionals and leaders ~~in eligible counties~~ for  
 36 input in the Program.

37 (5) Attend high school career days, job fairs, and other activities ~~in eligible~~  
 38 ~~counties~~ to recruit qualified individuals into the Program.

39 ...

40 (d) Eligibility Criteria. – An applicant must be ~~domiciled in an eligible county at the time~~  
 41 ~~of application~~, a resident for tuition purposes as defined in G.S. 116-143.1(a)(2), a high school  
 42 graduate or a high school senior who will graduate from high school by the end of the current  
 43 academic year, and demonstrate the intent upon completion of the Program to be employed as a  
 44 criminal justice ~~professional in an eligible county~~ professional. An applicant who has been  
 45 convicted of any of the following is ineligible to receive a forgivable loan:

46 ...

47 (h) Recipient Obligations. – A recipient must become and remain a full-time student at a  
 48 North Carolina community college in an Applied Associate Degree in Criminal Justice or in a  
 49 Committee-approved related field of study at all times during each of the recipient's two  
 50 academic years of community college study and pursue continuously studies that will qualify the  
 51 recipient to be employed in an eligible criminal justice profession upon graduation. The recipient

1 must maintain a minimum cumulative 2.0 GPA throughout the course of study and also maintain  
2 appropriate credit hours for each semester to obtain an Applied Associate Degree in Criminal  
3 Justice or Committee-approved field of study within two years. The recipient must also accept  
4 employment ~~in an eligible county~~ as a criminal justice professional for at least four out of five  
5 years following graduation. The Committee may adopt additional recipient obligations it deems  
6 appropriate.

7 (i) Annual Report. – The Program administrator, in coordination with the Committee,  
8 shall report no later than January 1, 2020, and annually thereafter, to the Joint Legislative  
9 Oversight Committee on Justice and Public Safety regarding the following:

- 10 (1) The number of forgivable loans awarded for each academic year  
11 disaggregated to include geographic and other demographic information.
- 12 (2) Aggregated student performance, retention, and graduation rates.
- 13 (3) Employment subsequent to completion of the Program broken down by  
14 ~~eligible county~~ and eligible criminal justice profession.
- 15 (4) Forgiveness, termination, default, and repayment rates.
- 16 (5) Retention rates of recipients within eligible criminal justice professions  
17 disaggregated by ~~eligible county~~.

18 **SECTION 5.** G.S. 17C-23(b) reads as rewritten:

19 "(b) Forgiveness. – The Committee shall forgive the loan and any interest accrued on the  
20 loan if, within five years after obtaining an Applied Associate Degree in Criminal Justice or  
21 Committee-approved field of study, the recipient is employed on a full-time basis for a period of  
22 at least four years ~~in an eligible county~~ in an eligible criminal justice profession. The recipient  
23 shall provide the Committee within 60 days of completion of the Program verification of the  
24 recipient's intent to seek employment as a criminal justice ~~professional in an eligible county~~  
25 professional. The recipient shall provide verification of employment to the Committee each year  
26 until the obligation is satisfied. The Committee shall also forgive the loan if it finds that it is  
27 impossible for the recipient to meet the terms of the loan, after or before graduation, due to death  
28 or permanent disability of the recipient."

29 **SECTION 6.** Section 2 of this act becomes effective July 1, 2021, and applies to  
30 costs assessed on or after that date. Sections 3 through 5 of this act become effective July 1, 2021,  
31 and apply to applications received on or after that date. The remainder of this act becomes  
32 effective July 1, 2021.